

WILLIAM HERBERT

From the painting in Powis Castle, by
kind permission of the Earl of Powis

(Artist Unknown)

THE ONLIE BEGETTER

BY
ULRIC NISBET

WITH FRONTISPIECE

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A. S. W. R.

MY DEAR RODCOT,

Pray permit me to address this slender work to you as some return for the earliest hours I spent upon it, both openly and privily. But what would you? Given such a field in which to roam, who could refrain from roaming? And yet, in spite of it all, the time was not ill spent—witness, among others, that later triumph of Tullie's love. Indeed, love is the cause of my temerity. Whether or not it triumphs, it remains—in debt to you.

Musophilus.

PART I

TO. THE. ONLIE. BEGETTER. OF.
THESE. INSVING. SONNETS.
M^r. W. H. ALL. HAPPINESSE.
AND. THAT. ETERNITIE.
PROMISED.

BY.
OVR. EVER. LIVING. POET.
WISHETH.
THE. WELL. WISHING.
ADVENTVRER. IN.
SETTING.
FORTH.

T. T.

*Facsimile Reproduction of the Dedication to the First Edition of
Shakespeare's Sonnets, 1609.*

Among the unsolved mysteries of English literary history probably the greatest and certainly the most fascinating is that which concerns the identity of the 'onlie begetter' of Shakespeare's Sonnets. It has been the subject of speculation and research, of claim and counter-claim, often of the most heated and emphatic kind, for over one hundred years. It has drawn into its thrall amateurs, students, and learned scholars wherever the Sonnets are read. People who have but dimly heard of Greene, Peele, Lodge, Marlowe and the other great lights of the Shakespearean era are fully aware of the mysterious character, whose memory is perpetuated by the title: *Mr. W. H.* Nor is it surprising that he should possess the power to arouse such passionate interest, for he provides the most vividly human of all the links between Shakespeare, the immortal genius, and the world of the ordinary man.

It was, indeed, through Shakespeare's association with Mr. W. H., not with Anne Hathaway, that he achieved what I would call—a poetry of eternity, and it was because of the depth and sincerity of his

affection for this fair young man that he could say with certainty, knowing it to be true:

*So long as men can breathe, or eyes can see,
So long lives this, and this gives life to thee.*

Life, yes; but, by a curious stroke of fate, life without identity. That is the surprising thing about this friendship. One would naturally expect to come across some other record of it, for Shakespeare's 'sugared sonnets' were mentioned in print at a time when a few of them may still have been unwritten, and they were all published well within the lifetime of the poet. During those years the identity of Mr. W. H. must have been known to almost as wide a circle as the Sonnets themselves, yet not a single clear-cut reference to it has, so far as we know, survived, and not a single scrap of gossip. Like the Dauphin in the Temple, the physical Mr. W. H. vanished from the world's stage, and it would appear that, until a century or so ago, no one had ever attempted to rescue him from oblivion.

Since then there have been many attempts. Interesting as the pamphlets concerning them are to the student, they have tended to carry the problem out of the range of the average Shakespeare lover by confining themselves to hypothetical argument, often with all too little corroborative evidence, and by presupposing in the mind of the reader a rather intimate

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knowledge of the times and the life of the favoured candidate.

My excuse for offering this document is, first, to draw attention to a forgotten Elizabethan who, on the strength of certain evidence never before put forward and of a kind that rules out all possibility of pure coincidence, has greater claim to be *The Onlie Begetter* of the Sonnets than any other person; secondly, to restore him to the roll of poets, after an absence of nearly three hundred years, by correcting the extraordinary errors that have passed as facts or probabilities in connection with his name, family, and poetical ventures; thirdly, to record the progress of his life, which in its growth, maturity and decline so closely parallels the friendship of the Sonnets.

2

One day last September I took my wife by underground to a town on the fringe of London that had once been a small hunting parish set in the midst of meadowland. The reason for our trip was, to say the least, a singular one, belonging to the world of romance rather than reality, and outwardly of no particular interest to anyone but ourselves. In fact, when

we emerged from the station into the broad modern thoroughfare that formed the hub of this town, it did not seem possible that anything of the past could have survived, still less that we were making our way to the last resting-place of a man who had died almost two hundred and eighty years before.

Nevertheless the church had survived, and to it we turned our footsteps. It lay some distance from the busy streams of traffic and pedestrians, separated from them by a row of older houses and a field lined with chestnut trees. On its tower was a weather vane formed of a Lamb and Flag.

The door had been left unlocked. We went inside. No one was there, so we were able to look round undisturbed and soon found what we sought.

It was a monument, fixed high on the wall above us—a particularly well-preserved and beautiful monument, bearing in colours the arms of the nobleman whose memory it perpetuated and having on its black surface a short record of his life and death incised with letters of gold.

It was so real, so obvious. There was nothing about it that even remotely suggested a mystery, yet to us it was replete with mystery, and the knowledge of this awed us, just as the cold reality of the stone itself gave me the first feeling of uncertainty that I had had since I began my quest. For how could a man be raised to

fame after being so long neglected? Thousands and thousands of people had looked at this man's monument during the centuries of its existence, but never one, it seemed, had called him poet; never one had linked to him that poetry of eternity:

*'Gainst death and all-oblivious enmity
Shall you pace forth; your praise shall still find room,
Even in the eyes of all posterity,
That wear this world out to the ending doom.*

No, they had looked at it and passed on.

And then I noticed along its base a narrow strip, framed like the inscription above in lighter marble but left quite blank. It might have been intended for other names to be added later, but in this case I knew that his wife had predeceased him by five years, and his children were to have other monuments. Whatever the reason for it, the strip had not been filled. It was still waiting.

I was thinking of the rich store of epitaphs that were his due, when the silence was broken by the opening of the church door. Mr. Hardy, the parish clerk, came in, and from him we learned some curious facts that, so far as I know, have not yet been recorded.

In 1930, during the reconstruction of the old high altar (now the altar of the Lady Chapel), it was decided to move the grey memorial stone of this noble-

man's daughter, Katherine, which lay at the left-hand corner. When this was raised, a vault with five coffins was found beneath. A witness of the proceedings, Mr. Hardy saw also the plates upon the coffins, one of which bore the name and coronet of the man himself. They were then replaced, and the vault filled in.

We stood for a while looking down at the great grey stone in its new position on the threshold of the Lady Chapel. It was strange to think that, before it yielded this last mortal record of the man whom I had come to know so well, my quest of him had already begun; and that now, at the moment of finishing, I should hear of his irrevocable end.

Katherine had been sixty-six when she died, so the stone told us. It gave many particulars of her second husband and children, but it did not say anything of her first marriage or of the son of it, for whom she and her father had fought so long. Indeed, they had always supported each other, for when in later years war separated him from his wife, it was through this second husband of the stone that Katherine pleaded for him—a prisoner and alone.

To the facts that I had written down could be added then, one more—that in death, as in life, they were not divided. He was buried the 21st day of June, 1656, three months after he died; she, on the 1st day of June, ten years later.

Ten years or two hundred and eighty—what did they matter beside eternity?

As I left the church for the busy streets its timelessness went with me. Truth, not a monument, had been the object of my quest. If I had found it, he needed no other epitaph than this: POET—AND SHAKESPEARE'S FRIEND.

3

My quest for Mr. W. H. had begun, strangely enough, in New York six years earlier. I was working on contemporary Shakespeareana for a well-known bookseller when one day I came across a quarto in his magnificent library, printed by Thomas Creede for Roger Jackson, 1604, and entitled: *A Prophetie of Cadwallader, last King of the Brittaines*, to which was added the sub-title:

Containing a Comparison of the English Kings, with many worthy Romaines, from William Rufus, till Henry the fift. Henry the fift, his life and death. Foure Battels betweene the two Houses of Yorke and Lancaster. The Field of Banbery. The losse of Elizabeth. The praise of King Iames. And lastly a Poeme to the yong Prince.

It was dedicated "To the no lesse Vertuous then Honourable gentleman Syr Philip Herbert, Knight of

the most noble order of the Bathe' by its author, who signed The Epistle Dedicatorie:

The admirer of your vertues, whose life is devoted to your love.

William Harbert.

The name, William Harbert, and its initials intrigued me. As my employer was then away I began to search the book for Shakespearean allusions, fortunately not knowing that that great collector, the late Mr. Henry Folger, to whom such rarities were offered, already possessed a copy.

It was not long before I realized that this poem was by no means what at first glance it had appeared to be—a catalogue of events and names. It revealed a steadily increasing number of parallels with lines and phrases in Shakespeare's plays, so many, indeed, that I was tempted to look for details of its author's life, hoping to find in them some clues that would substantiate my growing belief that he was a new and possible candidate for the title: Mr. W. H.

To digress a moment—while the several persons already put forward for this supreme honour vary greatly in rank and profession, it cannot be doubted after a serious consideration of the Sonnets, that they are addressed to a young man of high birth. Those who support the candidature of William Hall, the stationer, do not dispute this, but they aver that 'the

onlie begetter' of the Sonnets does not mean (or refer to) the only inspirer of them but the only *procurer* of them for their printer, Thomas Thorpe—an idea bolstered up by the presumed word-play of the Dedication—W. H. ALL . . . However, as Sir Edwin Chambers aptly remarks in his *William Shakespeare*: 'There is some unconscious humour in the notion of Thorpe's dedicating the volume to a printer whom he had not employed.' And the vague claim for William Hughes, an actor, first, I think, put forward by Oscar Wilde, is mainly based upon the line in Sonnet 20: *A man in hue all hues in his controlling*, while disregarding his actual social position and Shakespeare's lament in Sonnets 110 and 111 at being himself an actor or writer for the theatre. These characters add flavour to the controversy, but they could never have obtained any support had either of the two chief candidates been proof against attack. They are (1) William Herbert (1580-1630), 3rd Earl of Pembroke on the death of his father in 1601, and (2) Henry Wriothesley (1573-1624), Earl of Southampton, Shakespeare's first publicly acknowledged patron. The former has the right initials; the latter has them reversed. But both suffer from being of too high a rank, and it is almost inconceivable that they could, or would, have been addressed by a printer as Mr., either as late as 1609, when of mature age, or even in their youth. They suffer, too, from other

objections. I need not, however, do more here than again quote Sir Edwin Chambers, who, in summing up the various candidates impartially, regards William Herbert, Earl of Pembroke, as the most plausible among them, while adding: 'I am not clear that the conditions might not be satisfied by some young man of good birth and breeding, but of less degree than an Earl. But I have no candidate to propose.'

4

During my first attempt to immortalize the author of 'Cadwallader' I looked up his name in the *Dictionary of National Biography* and found him there described as W. Herbert, or Harbert, poet, probably the son of William Herbert of Glamorgan, who seems to have matriculated at Christ Church, Oxford, on 17th October, 1600, aged 17. Furthermore, a reference in 'Cadwallader' pretty conclusively proved that he had been in attendance on Prince Henry about the time of James I's accession.

Thus I was able to link his enthusiastic but hitherto unrecorded interest in Shakespeare's works to the fact that by 1603 he was a young man of high social standing who could correctly be addressed as Mr. The only

weak point was his age. He seemed far too young to fit the Sonnets and the generally accepted dating of them. However, his right to the title 'Mr. W. H.' was as good as that of some of his rivals, and I hoped that a little research would put him above them all.

But this did not happen. Try as I might I could not find a single thing more about him, so after revising and typing my manuscript, I regretfully left it.

Other books of the period claimed my attention for nearly two years, but I could not forget William Harbert. Like so much that belongs to Shakespeare's life, he was wrapped in mystery, and like so many others who have tried to unwind the wrappings, I was sometimes in danger of becoming entangled in them myself. Shakespeare has, I suppose, made more people daft than any other mortal. During these years I read about some of them and met others. But they had lost themselves in trying to prove that Shakespeare was Bacon, or the Earl of Oxford, or the son of Queen Elizabeth, whereas I was trying to prove that Mr. William Harbert was Mr. W. H. Slight as the difference between our efforts was, I hoped that it would save me. Even so, I would never have persisted in mine had I been a realist or an acceptor of other people's theories. The great glory (and danger) of Shakespeare is that he requires one to be neither.

In the spring of 1931 I was apparently as far away from proving anything as I had been in 1929. But one cannot be in continuous contact with the most vital period of English literature without becoming attuned to its atmosphere and a participator in its events and controversies. For me this cut both ways, for while it brought the age to life it also involved me in a multitude of details, pedigrees and what-nots, the vast majority of which, as it turned out, had nothing to do with Mr. W. H.

Then suddenly something happened that changed the entire situation. And it was owing to this circumstance and others following close upon it that within a month I knew for a positive fact that the William Herbert, or Harbert, of the *Dictionary of National Biography* was *not* the William Harbert who had written 'Cadwallader'.

I can well imagine that a basic error of this kind, appearing in so authoritative a work of reference as the *D.N.B.*, must have proved no less a stumbling-block to others than it did to me. It was originally due, I think, to certain lines in 'Cadwallader', notably those in the second Dedicatory Poem, beginning: *These Poems which my infant labours send*, and a later mention of *my unripened years*, lines which were evidently taken literally by some of the nineteenth-century commentators, who found in an allusion to

Christ Church, Oxford, elsewhere in the poem further support for identifying the author with the William Herbert who matriculated at that College in 1600. Meanwhile, other commentators, overwhelmed by the number of William Herberts, knights and commoners, who graced the late Elizabethan era, overlooked the author's apparent youthfulness, gave him the credit of knighthood and made him one and the same as Sir William Herbert of St. Julian's, whose poem *Baripenthes* had been published eighteen years before 'Cadwallader'.

Not the least interesting of these inaccuracies is the late Alexander Grosart's apparently unchallengeable statement that the author of 'Cadwallader' was no 'Sir', because in William Gamage's *Linsie Woolsie* (1613) he is addressed, in an epigram that eulogises his poem, as Mr. In correcting Ritson's, Collier's and Hazlitt's error in connecting him with Sir William Herbert of St. Julian's Grosart was right, but in accepting Gamage's prefix he was entirely wrong for, as I shall show, my William Harbert was made a Knight of the Bath in 1603, and this epigram, which Grosart calls a sorry one, has a particular significance in the identification of Mr. W. H.

5

The rectification of all these conflicting misstatements and errors was not completed until much later, but it was first made possible by the circumstance to which I have alluded. This was the finding of a dedication to Sir William Herbert and Sir William Pope, Knights of the Bath, in Barnabe Barnes' tragedy, *The Devils Charter*, dated 1607.

It was an exciting moment. A new line of search had been opened; the old *impasse* had vanished. Knights of the Bath could be traced more easily than mere commoners, and this one was linked to a poet. He was obviously either the William Herbert of the *D.N.B.*, honoured for his services to Prince Henry, or he was an entirely different person. I knew that he was not the knight of this name who had published *Baripenthes* in 1586, for the latter had died in 1593. Unfortunately, although the *D.N.B.* could tell me much about Barnes, it was silent about Herbert, but the fact remained that, whoever he might be, he was a close friend of one of the best known younger poets of the past decade. And through this poet I felt that a connection with Shakespeare might well be established.

According to my diary this happened on 17th April. Soon afterwards I was doing some research on the exceedingly rare quartos of a man who already inter-

ested me deeply and was to do so infinitely more. Some years older than Shakespeare, he was a stepson of George Gascoigne, the poet, and had published the first of his many and varied works in 1577. Flippan, witty, religious, melancholy, they reflected his passing moods and issued from the press in a constant stream.

There were thirteen of them in my employer's library, but the one that was to be of paramount importance to me was not there. Only a single copy of it had survived, that being in the Huntingdon Library, California, and quite out of my reach. Certainly the truth hung on a slender thread! Luckily, there was a modern reprint in New York, and in this I found what I needed—the first real clue to the identification of William Harbert.

My diary for 5th May says: 'Went to the Public Library to hunt up Nicholas Breton's dedication of *Wits Trenchmour*, 1597.'

Here it is—all, at least, that concerns us at this moment:

To the right Worshipfull and noble minded, the favorer of learning and nourisher of vertue, William Harbert of the Red Castle in Mountgombryshiere, Esquire, the highest power of the heavens give the happinesse of much honour.

Mr. William Harbert—yes. But quite obviously not the Mr. William Harbert of Glamorgan to whom the *D.N.B.* had ascribed the probable authorship of

'Cadwallader'. And what about Sir William Herbert, K.B., the friend of Barnabe Barnes, or, for that matter, Sir William Herbert of Swansea, knight, to whom *The French Littelton* was dedicated? There was something wrong somewhere—a mystery within a mystery.

When I got back to my headquarters I picked out Miles' great *Catalogue of Honor*, printed in 1610, and turned up the pedigree of the Earls of Pembroke.

The line of descent worked out somewhat as follows:

William Herbert, first Earl of Pembroke of the 2nd creation (1501?-1570), married Anne, sister of Catherine Parr. Their elder son Henry, the second Earl, married as his third wife, Mary, sister of Sir Philip Sidney, by whom he had William, who succeeded as third Earl in 1601, and Philip, later Earl of Montgomery. *The first Earl's second son was Sir Edward Herbert of Red Castle, and Sir Edward's son was given as Sir William Herbert, 'still living'.*

No longer was there any mystery about this Herbert. I could say with practical certainty that he had been created a Knight of the Bath some time between 1597 and 1607. He was the man to whom Barnes had dedicated *The Divils Charter*, and to whom Breton had dedicated *Wits Trenchmour*.

But he was more. He was a nephew of Mary, Countess of Pembroke, the greatest literary patron of her day, and he was first cousin to the Earls of Pembroke and Montgomery—‘the incomparable pair of brethren’ to whom in 1623 the First Folio was dedicated.

I had no doubt in my own mind that he and no other was responsible for ‘Cadwallader’, and it seemed, with all the attendant circumstances, that he might very well have been the fair youth of the Sonnets.

Nevertheless, I could not yet furnish definite proof of either. No record had come down of his poetical accomplishments or friendships. Nor did I know his age, and age could play a decisive part in the identification of Mr. W. H.

Then, one day, while I was reading again the latter part of Breton’s dedication in *Wits Trenchmour*, a certain phrase stared out at me, evoking another, and as it did so the William Herbert of the *D.N.B.* was erased for ever from the roll of poets.

I quote, first, Breton’s address to William Harbert of Red Castle, putting the important phrase in italics as also the allusion to it, so that they may be more easily distinguished.

The humble service that in bounden dutie I do owe unto your honourable house, with the true report that I have often hearde of the noblenesse of your owne spirit, as well in regard of the learned, as favourer of the vertuous, hath

made me presume to adventure the pardon of your discretion, in offering to your patience a president of so simple a wit, as dauncing a Trenchmour in the shadow of understanding dares not come into the light without the comfort of your good countenance: *to make a large gate of a little Towne*, were but a mockerie to a travailer, & no praise to the builder: therefore referring to your good leysure the reading of a mad discourse, and to the happines of your good favour the commaundement of my better service, I take my leave in all humblenes,

Your Worships ready to command,

Nich. Breton

In 'Cadwallader', published seven years later, occur the lines:

Least that my gates be wider then my towne,

And that Diogenes my folly see:

My proems prologue Ile set quickly downe.

Here, after years of failure, I had proof positive that William Harbert of Red Castle was the long forgotten author of 'Cadwallader'.

6

The nickname, Diogenes, that Harbert had bestowed on Breton did not seem to have any bearing upon my main investigations. And such is the maze in

which even the more obvious allusions have a habit of hiding themselves that for several years I hunted in vain for the next clue, feeling all the time that I was on the very threshold of success, but being quite unable to reach it. Then recently, when again studying the text of *Wits Trenchmour* I discovered that Breton had himself used the name Diogenes to veil his identity.

It occurs in one of the quaintest and most graphic little word-pictures ever penned—an epilogue to a long conversation on the banks of a river between a Scholar and an Angler.

From whence when they were gone in a manner out of sight, a certaine odde Diogines of the world, like a forlorne creature on the earth, throwne lately out of the fortune of his Mistres favour, getting a Paper-booke under his arme, and a penne and Inke under his girdle, in a melancholike humour, meaning to trouble the Muses, with some dolefull Ballad, to the tune of all a greene willow, sitting downe on a little mole-hill, among a thick growne plot of Oziers unseene, in steede of his intended peece of Poetry, writ as fast as he could this discourse that he heard betwixt this Angler, and the Scholler.

Thus the allusion in 'Cadwallader' is completely explained. But we can go further. Breton had a reason for calling himself Diogenes: he did so because it pointed a parallel between him and the third-century philosopher, Diogenes Laertius, who dedicated his history of Philosophy to a lady of high rank interested in that subject. In 1597 (the year of *Wits Trenchmour*)

Breton had produced for Harbert's aunt, the Countess of Pembroke, his *Auspicante Iehoua. Maries Exercise*.¹ Five years earlier, in his dedication of *The Pilgrimage to Paradise*, he had described himself to her as 'Your Ladishippes unworthy named Poet'. In spite, however, of this long association with his powerful patroness, it happened that in 1597 he (Diogenes) had been 'throwne lately out of the fortune of his mistres favour'. What is more, the Scholar of the main text of *Wits Trenchmour* had lately suffered exactly the same fate. In his conversation with the Angler he speaks with genuine feeling about the cause and effects of his dismissal, and the Angler gives him some useful advice on how to regain the favour that he has lost. As the *D.N.B.* says, concerning this episode: 'It seems not improbable that Breton's intimacy with the Countess of Pembroke passed beyond the bounds of patron and poet. . . .'

We see, therefore, that by his (I think, unconscious) double reference to this affair Breton has disclosed that he is not only Diogenes but also the Scholar. Again, the double reference to it by two supposedly unconnected characters—on the one side, the speaker (Scholar), and on the other side, the concealed listener (Diogenes)—shows what a profound and melancholy effect it had produced in his mind. In view of

¹Entered in the *Stationers' Register*, 30th December, 1595.

all this and the autobiographical and colloquial nature of *Wits Trenchmour* it is quite possible that some such conversation actually took place and that the Angler was Harbert. His advice would have been particularly valuable, as he was closely related to the Countess of Pembroke and, without doubt, a not infrequent visitor to her literary gatherings at Wilton.

In passing it would be as well perhaps to point out that the slightly 'unacquainted' tone of Breton's printed dedication does not necessarily mean that he was then a stranger to Harbert. For a parallel we need look no further than Harbert's already quoted dedication of 'Cadwallader' to Sir Philip Herbert, the Countess' son. So 'unacquainted' did this appear to earlier commentators that they never presumed to suggest a close relationship between the two men. Yet they were first cousins and must have known each other well. Thus I cannot reject the idea that William Harbert met Breton at some time during the latter's five years unruffled connection with Wilton. The fact of the matter is that the printed dedications of the time paid due regard to rank and formality, while often cloaking a language of allusion that conveyed its meaning to the interested party. This is well exemplified in *Wits Trenchmour*.

As Harbert is already linked with Breton and with his dedication in the year 1597, proof of an earlier

association is not essential to his identification with Mr. W. H., but the probability of it is worth noting as part of his history. Some curious literary parallels, which I shall now discuss, add to its likelihood.

The first set of these occurs in *Wits Trenchmour*. In the dedication (which would have been written after the work itself was finished and probably just before its dispatch to the printer) Breton speaks of '*offering to your patience a president of so simple a wit, as dauncing a Trenchmour in the shadow of understanding dares not come into the light without the comfort of your good countenance.*'

This dedication was addressed to William Harbert.

At the beginning of the main text, composed in hot haste immediately after the reputed conversation, he says:

Among the walkes of the wearie, where libertie and ayre are the best comforts of the forlorne spirits of the world, it was the hap of a poore Scholler . . . to espy a humane creature . . . and finding him to be an Angler, he saluted in this manner: *True figure of patience*, no offence to your conceit, howe might it fare with your colde exercise? The Fisherman (as it might appeare by his answer) *beeing better trained in the varietie of understanding* then could be contained within the compasse of a casting Nette, upon the suddaine made him this replie:

*Shadowe of intelligence,
To stay your further eloquence*

when fooles gape for flyes, madde men may goe a fishing.

The allusions here italicised for the sake of clarity are, perhaps, deliberate ones, just as the line: *Least that my gates be wider then my towne* is a deliberate allusion in Harbert's poem to a phrase in Breton's dedication. In both text and dedication Breton is addressing a person, and in both he is attributing to those persons the same qualities of patience and understanding. We know that one of them is William Harbert.

I come now to certain other parallels that belong to the period *after Wits Trenchmour*. To bring them together it is first necessary to recall the epilogue of *Wits Trenchmour*, in which Breton (Diogenes) speaks of 'getting a Paper-booke under his arme, and a penne and Inke under his girdle, in a melancholike humour, meaning to trouble the Muses, with some dolefull Ballad', i.e. 'his intended peece of Poetry'. From this I have drawn the reasonable conclusion that he had in mind those poems that he was to publish in 1600 under the title: *Melancholike Humours*. Now in this book of verse there are two poems so similar in phrasing and inspiration to one of Shakespeare's Sonnets (105) and a line in another (82), which are addressed to Mr. W. H., that they could not have been composed independently. Either Breton or Shakespeare had knowledge of the other's theme. Shakespeare's Sonnets with two exceptions were not in print until 1609, but they (or a number of them) were known in 1598,

when they were commended by Meres in his *Wits Treasury*. And knowing the parts and methods of both Shakespeare and Breton, one would be justified in presuming that the latter got his idea either by seeing Shakespeare's Sonnets 82 and 105 in manuscript, or by hearing them quoted.

Who, then, would be more likely to show or quote them to him than Mr. William Harbert, if he were the person to whom they were addressed, and if they were addressed to him shortly after the publication of *Wits Trenchmour* in 1597 or 1598?

It does not matter whether he was the Angler, or whether he knew Breton before 1597. What does matter is that a book was dedicated to him in this year, and that in Sonnet 82 Shakespeare himself reveals that a book has just been dedicated to his young friend, Mr. W. H.

*I grant, thou wert not married to my muse,
And therefore mayst without attaint o'erlook
The dedicated words which writers use
Of their fair subject, blessing every book.*

Leaving the date of composition of this Sonnet for the moment, we find in other respects that Shakespeare could be addressing William Harbert no less accurately than Mr. W. H. For no book, other than *Wits Trenchmour*, exists with 'dedicated

words' to Harbert during the Sonnet period, and I doubt that any other ever did exist, since these very words were so appreciated by him that he alluded to them and to their author several years later in 'Cadwallader'.

To continue Sonnet 82:

*Thou art as fair in knowledge as in hue,
Finding thy worth a limit past my praise;
And therefore art enforc'd to seek anew
Some fresher stamp of the time-bettering days.
And do so, love; yet when they have devis'd
What strained touches rhetoric can lend,
Thou truly fair wert truly sympathiz'd
In true plain words, by thy true-telling friend;
And their gross painting might be better used
Where cheeks need blood; in thee it is abus'd.*

'The strained touches rhetoric can lend' may fairly describe the long unbroken sentence, full of high-flown eulogy and metaphor, by which Breton acknowledges his debt to the House of Pembroke and offers his services to Mr. William Harbert. It was indeed 'gross painting', particularly in Shakespeare's estimation at that crucial time, although no more gross than many other dedications from contemporaries' pens.

Take now from the same Sonnet the line: *Thou*

truly fair wert truly sympathiz'd, and link it with the lines from Sonnet 105:

*Fair, kind, and true, is all my argument;
Fair, kind, and true, varying to other words:
And in this change is my invention spent;
Three themes in one, which wondrous scope affords.
Fair, kind, and true have often lived alone;
Which three, till now, never kept seat in one.*

Compare the above with the first two verses of the poems from Breton's *Melancholike Humours*, to which I have referred.

(a) AN ODDE CONCEIPT

*Lovely kinde, and kindly loving
Such a minde were worth the moving:
Truly faire, and fairely true,
Where are all these but in you?

Wisely kinde, and kindely wise,
Blessed life, where such love lies:
Wise and kinde, and faire, and true,
Lovely live all these in you.*

(b) AN ODDE HUMOUR

*Purely faire, and fairely wise,
Blessed wit, and blessed eyes,
Blessed wise, and blessed faire,
Never may thy blisse impaire.*

Kindly true, and truly kinde,
Blessed heart, and blessed minde,
Blessed kind, and blessed true,
Ever may thy blisse renue.

The Shakespeare Allusion Book (vol. i) credits Mr. C. Haines with the suggestion that the lines of *An odde conceipt* are inspired by Sonnet 105. I have romanised those which most closely betray their source of inspiration. Both poems, however, bear witness to the wondrous scope which Shakespeare says that his three themes afford.

And finally, as though in retort to the 'blessed faire' of *An odde humour*, there is the line in Sonnet 93:
But what's so blessed fair that fears no blot?

As the whole of this Sonnet is concerned with Mr. W. H.'s defection and belongs to the period under review, I give it in full:

*But do thy worst to steal thyself away,
From term of life thou art assured mine;
And life no longer than thy love will stay,
For it depends upon that love of thine.
Then need I not to fear the worst of wrongs,
When in the least of them my life hath end:
I see a better state to me belongs
Than that which on thy humor doth depend.
Thou canst not vex me with inconstant mind,*

Since that my life on thy revolt doth lie.

O, what a happy title do I find,

Happy to have thy love, happy to die!

But what's so blessed fair that fears no blot?—

Thou mayst be false, and yet I know it not.

The friendship was drawing to an end. It was a sad time for Shakespeare but not for Mr. W. H., or for Mr. William Harbert as I shall show in the second part of this book.

7

In gathering together the evidence for William Harbert's identification with 'the onlie begetter' I have devoted considerable space to Breton's literary parallels and poems, and they may thus have assumed too much importance. Actually, they belong in the background, but they happen to fit themselves to the facts on which the case rests.

Two vital questions still remain unanswered. (1) When did Shakespeare compose Sonnet 82? And (2) When was William Harbert born?

(1) If Shakespeare was alluding to Breton's dedication—in other words, if Mr. W. H. was Mr. William Harbert—he wrote Sonnet 82 in 1597, or not later than 1597-98. This would also be approximately the

date of the entry on the scene of the Rival Poet, as the Sonnets concerning him belong to the same group. Now we know from Sonnet 104 that the friendship between Shakespeare and Mr. W. H. lasted at least three years, so if it was really ending in 1597-98, it must have begun about 1594. Thus William Harbert again merges into Mr. W. H., for the period during which the former would have associated with Shakespeare corresponds with the generally accepted period during which the Sonnets to Mr. W. H. were composed—that is, the period immediately following *Venus and Adonis* (1593) and *The Rape of Lucrece* (1594).

(2) Miles' *Catalogue of Honor* having been of no assistance in the all-important matter of Harbert's age, I hunted for records of Montgomeryshire and at last in the Powysland Club volumes of the nineteenth century came upon many interesting facts relating to the Herberts of Red Castle, including the information that I give below.

In the parish church of Welshpool there is a monument to Sir Edward Herbert, inscribed with a record of his family, and ending:

. . . William Herbert Esq^r, his eldest sonne and heire who maryed Ladye Elyonor¹ seconde daughter to Henry

¹Lewis Dunn in his *Pedigrees of Montgomeryshire Families* (1888) gives her age at death in 1651 as sixty-nine. She would therefore have been twelve in 1594.

late Earl of Northumberland [then comes a list of the other children] . . . which Sr Edward dyed the 23rd day of Marche Anno Domini 1594, and this monument was made at the charge of the said Mary Lady Herbert [his widow] the 23rd day of October, 1597.

William Harbert survived his father for sixty-one years and was laid to rest in the old parish church of Hendon. On the wall of the north aisle may be seen the monumental tablet that I have earlier described.

HEERE LYES BURIED SIR WILLIAM
HERBERT KNIGHT OF THE HONO
RABLE ORDER OF THE BATH LORD
POWIS OF POWIS IN ^EY PRINCIPAL
LITY OF WALES GRANDCHILD TO
WILLIAM EARLE OF PEMBROOKE
LORD HIGH STEWARD TO QUEENE
ELIZABETH WHO MARRYED THE
LADY ELINOR PERCY YOUNGEST
DAUGHTER TO HENRY EARLE OF
NORTHUMBERLAND BY WHOME
HEE LEFT ISSUE BEHIND HIM
PERCY LORD POWIS AND TWO
DAUGHTERS KATHERINE & LUCY
WITH THEIR CHILDREN. HEE DYED
THE SEAVENTH DAY OF MARCH
ANNO DOMINI 1655. BEINGE AGED
FOWER SCORE AND THREE
YEARES.

So by a simple calculation we find that he was born in the year 1572-73, within a few months of Henry Wriothesley, Earl of Southampton, and thus, like him, perfect in age to fit the fair youth of the Sonnets.

8

The last word lies with William Gamage. In his *Linsie Woolsie* (1613), Epigram 92, Century II, is addressed:

To the ingenious Poet, M^r William Herbert of his booke intituled the Prophetie of Cadwalader.

*Thy Royall Prophetie doth blaze thy name,
So Poets must, if they will merit fame.*

Taking the couplet first, we see that it carries either or both of two meanings—Poets, in order to deserve or win fame, must (a) write a Royal Prophecy like William Harbert's, or (b) make William Harbert's name known far and wide, as it is already known. The latter meaning is less forced and, one might add, less ridiculous, since Royal Prophecies by the dozen would rapidly reduce a whole nation to melancholic humours.

But, if this second meaning is Gamage's, it seems to refer to the past rather than the future—to a Poet or Poets who *have* won fame by blazing Harbert's name. In any case, what record has come down to us of his 'blazed' reputation? So far as we know, Breton and Barnes are the only two poets who dedicated works to him, and Barnes coupled his name with another. For the rest, his reputation is as shrouded in mystery as the reputation of Mr. W. H. The truth is that many compliments went the round of the comparatively small Elizabethan literary circle in manuscript form, never finding their way into print, and the openly dedicated words which writers used in print for their fair subjects were more often intellectual exercises in flattery than emotional revelations of esteem, in consequence of which they did not reproduce accurately their writers' genuine feelings. The reflection of those feelings will be found not in the obvious statements of the late Elizabethan era, but in its literature—in allusions, character studies and near realities. To clothe in motley, to be 'not obvious'—that was the whole basis of the literary canon. Fascinating to them, it is even more so to us to solve their long-forgotten riddles, and I do not doubt that Mr. W. H. still lives elsewhere within their quaint conceits, and in Shakespeare's plays as well as Shakespeare's Sonnets.

Nevertheless, I could ask no more of William

Gamage than his apparently unchallengeable dedication—‘To the ingenious Poet, Mr. William Herbert’. For William Harbert was no ‘Mr.’ in 1613. He was no ‘Mr.’ in 1604, when ‘Cadwallader’ was published. And when he was made a Knight of the Bath at the Coronation in 1603 his poem could scarcely have been even completed in manuscript.

In no circumstances could Gamage have failed to know this main fact. At whatever date he composed the epigram, the fact was the same. But in eulogising William Harbert as ‘Mr.’ he had a precedent to follow—hinted at, surely, in his couplet—a precedent, signed with the correct initials of its printer and composer, and dated 1609:

TO.THE.ONLIE.BEGETTER.OF.
THESE.INSVING.SONNETS.
MR.W.H.ALL.HAPPINESSE
AND.THAT.ETERNITIE.
PROMISED.
BY.
OVR.EVER-LIVING.POET.
WISHETH.
THE.WELL-WISHING.
ADVENTVRER.IN.
SETTING.
FORTH.
T.T.

9

In the mass of material that I have gradually collected around my central figure there are many possible opportunities of adding to his literary history. I have not, however, introduced anything in the preceding pages that distracts attention from the main purpose of this book, or that still belongs to the realm of pure conjecture. In the former category I include the great majority of the Shakespearean parallels and contemporary allusions in 'Cadwallader'.¹ Under the latter heading I must at present place the identity of the Rival Poet, although for more reasons than one he has pretty firmly established himself in my mind—provided, of course, that William Harbert was the real inspirer of the Sonnets. Knowing the pitfalls and 'my rude ignorance', I leave this question open, after summing up briefly certain *indisputable* advantages that he possesses over his nearest rivals.

The date of Harbert's birth, his social position, his close relationship with the Countess of Pembroke and her sons, and his connection with Breton at the critical date of 1597, not to mention his other literary friendships, all refute the contention of the Pembroke theorists that William Herbert, (later) Earl of Pembroke, was the only young man of wealth and station with

¹See Appendix C.

the initials W. H., to whom Shakespeare could have addressed his 'fair youth' Sonnets. (Among these I do not include No. 26, the formal tone of which is utterly incongruous anywhere in the series and strongly suggestive of Shakespeare's dedication of *Lucrece* to Southampton.) My candidate's appearance in the field will also nullify the much debated question as to whether an Earl, or the son of an Earl, be he Southampton or Pembroke, could (or would) be addressed in print as 'Mr.' Furthermore, while William Harbert of Red Castle corresponds in age with Henry Wriothesley, Earl of Southampton, he betters him in the order of his initials. Other objections to the claim for Southampton are sufficiently set forth by Sir Edwin Chambers, who, unlike most of us, has no particular axe to grind!

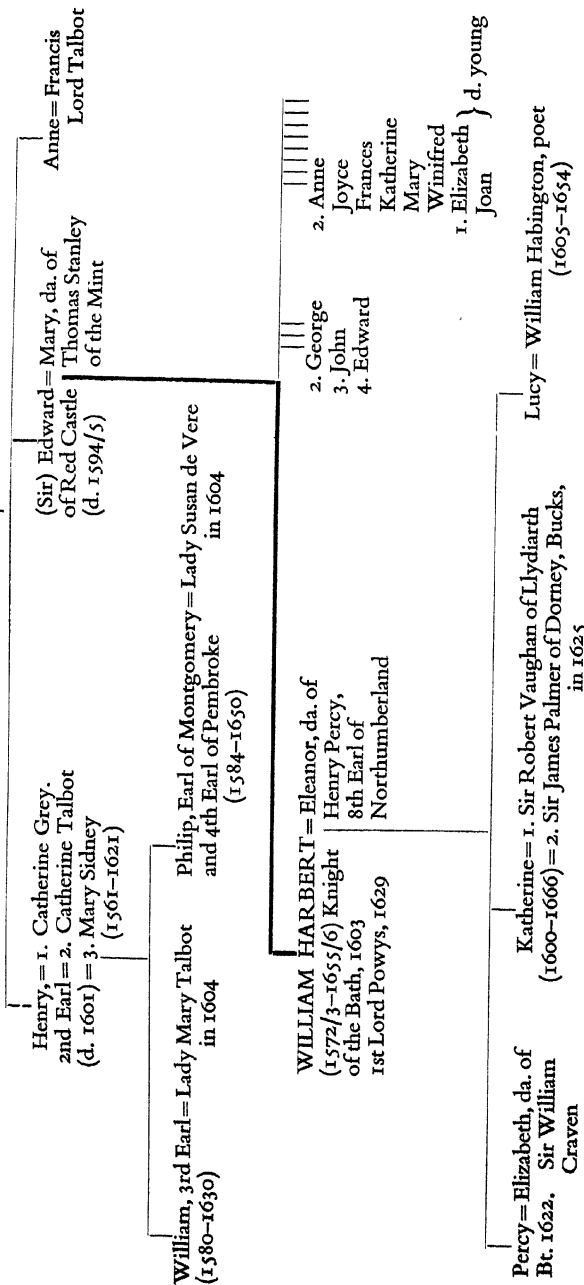
In the following pages I have taken the liberty of fitting some of the Sonnets to events in Harbert's life and of regarding him as the rightful owner of the prefix and initials: Mr. W. H.

PART II

AN ACCOUNT OF THE LIVES OF
SIR EDWARD AND WILLIAM HARBERT OF
THE RED CASTLE, MONTGOMERYSHIRE

PEDIGREE OF THE HERBERTS OF RED CASTLE

William Herbert, 1st Earl of Pembroke=Anne Parr
of the 2nd creation (1501?-1570)



From his father, the first Earl of Pembroke, Sir Edward Herbert inherited large estates in Northamptonshire and Westmorland, but his heart and main interests were in Montgomeryshire and the Welsh Marches, and it was probably for this reason that in 1587, after years of negotiation and wire-pulling, he purchased from Edward Grey, the illegitimate son and devisee of the last Lord of Powys of that line, the Lordship and Castle of Powys.¹

He appears from the records that have survived to have been a man of considerable pertinacity, proud of his lineage and not one to suffer an insult to pass unchallenged. Hence I am inclined to identify him with the Edward Harberd mentioned in the *Chronicles of Shrewsbury* under the year 1556-57:

This yeaere was a fraye in the East foriate in Shrosbery betwyxt Sr Henry Stafford and Edwa'd Harberd the w^{ch} had fallen to greate bloodshed yf the baylyfs the' beinge wth the woorshipfull of the saide towne had not wyselye pacyfied the same.

He married Mary, daughter of Thomas Stanley² of Cumberland and Standen, Herts., by whom he had

¹Also known as Poole Castle and the Red Castle.

²Thomas Stanley = Joyce, daughter of John Barret of Audly in Essex, widdow of Sr James Wilford, K^{nt}. [*Visitation of Cumberland*, 1615.]

William, three other sons—George, John and Edward—and eight daughters. Stanley had been Assay Master of the Mint in the time of Henry VIII and Edward VI, later becoming Comptroller, then under-Treasurer, and finally in 1573 Master of the Mint. He died 18th December, 1576, and was buried in St. Peter le Poer's Church, Broad Street, London, in which parish he had a residence. There are numerous references to his work at the Mint in the *State Papers (Domestic)*, including a letter from him to Lord Burghley in 1571.

I am indebted to the Record Office of Guildhall for the information that Edward Herbert, Esq., and Mary, his wife, appear in the Husting Roll as conveying in 1572 to Thomas Avery of Berdon, Co. Essex, Esq., and Mary, his wife, a messuage in the parish of St. Peter le Poer beside the late Augustine Friars within the City. Undoubtedly this property had come to Mary Herbert through her father.

Two years later Edward Herbert was knighted. In 1580 Wm. Herlle, writing to the Earl of Leicester, desires him to remember the suit of Sir E. Herbert, requesting that Griffith Lloyd be appointed sheriff of Montgomery rather than John Vaughan. At the same time Herlle informs Sir Edward that he has done this and tells him that Leicester has promised to assist him in the ending of his accompts for the Mint and to favour his proceedings for Powys. A few days later we

find Herbert sending his thanks through Herlle for having thus procured an impartial Sheriff.

The Vaughans were in truth the last people whom Sir Edward or his kinsmen wished to see in positions of authority. From about this time until the end of his life he was to be engaged in a bitter struggle with them, a struggle that has been likened to the feud of Montagues and Capulets, so nearly did it lead to open hostilities between the two families and their respective followers.

In 1587-88 the first public and legal hearing of the dispute took place. Sir Edward Herbert brought a suit for trespass at the Shropshire Spring Assizes against John Owen Vaughan and Howell Vaughan, his brother.

This yeare and the 21st of Marche beinge Thursday, the Judgis of assises came here [Shrewsbury], brought in by the shyrieffe, M^r Edw. Leighton, esquier, who had a woorthie company of men and well horsed: the sysses continued until Saturday night. Unto the which cam sutche a boundans of people, that the lycke hathe not been seene; by the reason of the apparance owt of Wales, sir Edw. Harbert, Knight, beinge playntyfe, and John Owen Vaughan, esquier, and Howell Vaghan deffendants; whoe had matters then and there to be tried.

This marked the commencement of what was called the great Welsh land case, the cause of which originated in the days when the former defendant began to

enter, occupy and enclose certain 'parcelles of landes', the alleged property of Sir Edward as part of the Barony of Powys. The confusion of title deeds was so great that both sides agreed to the case being decided by law. The verdict went in favour of Sir Edward Herbert, but John Owen Vaughan refused to receive the letters of their Lordships of the Privy Council requiring him to pay £37 os. 8d. (his opponent's costs) and vacate the disputed lands. In consequence the Council appointed, on 15th May, 1589, two gentlemen, Richard Morrys and Edward Davyes, to examine the contempt, at the same time ordering that Vaughan carry out the terms of the verdict on the Feast of St. John the Baptist at the church of Poole between the hours of one and three.

Whatever the result, the Vaughans continued the fight before arbitrators mutually chosen from the Council of the Welsh Marches, the Lord President being excluded as he was Sir Edward's brother.

Meanwhile a counter-action [Privy Council Meeting, 15th July, 1590] was begun by one Richard ap David Lloid together with the Vaughans to restrain Sir Edward from enclosing common land and freeholds in the neighbourhood of his recently acquired Powys Castle, which they stated had been enjoyed by their families time out of mind. Within six months several of the local gentry attempted to retaliate by

starting a similar action against John Owen Vaughan, but were (temporarily at least) prevented by the Privy Council, who felt that they were acting at the instigation of Sir Edward, then absent. He was, as a matter of fact, absent through indisposition, and this ill-health had caused his non-appearance before the Lords of the Star Chamber in November in reference to the disputed peerage of the Barony of Powys, perhaps the real basis of the long ill-feeling between Vaughans and Herberts.¹ The case was ordered to come before the Star Chamber on 1st February, 1590-91, but it must then have been left undecided, for not until 1629 was the title Baron Powys of Powys awarded to his son, William.

As for the feud between Herberts and Vaughans, it was to last more than sixty years. Even the marriage of Sir Edward's granddaughter, Katherine, to Sir Robert Vaughan of Llydiarth could produce no more than a temporary truce in the struggle of these two great families for territorial supremacy. . . .

In the vexed matter of religion Sir Edward was a

¹It would appear that 'in defence of John Owen Vaughan the title of Henry Vernon and John Vernon, Esqrs., to the barony of Powys was set out against Sir Edward Herbert, K^{nt}, and the bastard Grey'. [Powys Peerage Papers.] A letter from Sir Edward to Edward Kynaston, Esq., heir at law of John Grey, is extant. Dated from *The Poole Castell*, 8th October, 1590, it requests a certain title deed, required for the support of his claim. One other letter of this period, probably from the same source, sets forth the noble lineage of the writer in an imperious and not entirely accurate manner.

Roman Catholic. There is no record that he openly professed that faith, although his wife and five older children were presented by the vicar and wardens of the parish church of Poole [Welshpool] for absence from services over a space of twelve months in 1594. It may be, too, that the following extract of a letter, written by Thomas Rogers to Walsingham from Rouen on 13th August, 1585, refers in part to him:

From the conferences at Paris I found that my tokens of commendation brought the effect I looked for. I also certified what friends the papists had in the Court, and that the Earls of Cumberland and Rutland are in working, by Fortescue and Doyland, priests; they have also friends in Lord Herbert and Sir Edward Herbert.

These two Herberts are also mentioned in an extract of a letter from 'B', dated 21st August, 1583 [?], as being friends to the Popish Conspirators.

In 1594 Sir Edward Herbert was one of the overseers as well as witness of the will of a kinsman bearing the same name, who also lived in Montgomeryshire. He himself died intestate shortly afterwards and was buried at Welshpool. His i.p.m. is in the Public Record Office, London.

In addition to other estates¹ Sir Edward died seised of the Manor of Hendon, Middlesex. It had been granted

¹*Records of Chancery Proceedings*, Series II, contain particulars of two suits concerning land in Carnarvon and Caerleon, Mon. In the former Sir Edward Herbert, Dame Mary and others were plaintiffs; in the latter defendants.

to his father by Edward VI in 1550 after its surrender by Bishop Thurlby. Records of Royal Progresses through the Home Counties show that Elizabeth was received there in 1566, 1571, and again five years later. It was on this last occasion that the four-year-old William was perhaps first presented to his monarch. When she again visited Hendon in 1594 her host was Sir John Fortescue, Chancellor of the Exchequer. But the manor remained the property of the Herberts.

II

The earliest record that I have so far discovered of a William Herbert, who could have been Mr. W. H., is dated 1588. On 22nd December of that year Thomas Fowler, writing to Lord Burghley from Edinburgh, says: 'I marvel I hear not from Mr. William Harbert; I wrote to him and other friends in London enclosed in Montgomery's letter, and these are not delivered.'

If this is our Harbert, his age then would have been sixteen. The Montgomery to whom the package was addressed was Fowler's 'servant', perhaps Alexander Montgomery, poet, who in 1586 had obtained a licence from James VI to travel for five years. Fowler's

son, William, a poet of greater reputation than Montgomery, became secretary to the Scottish Queen Anne about 1590 and carried on his father's political negotiations with England. On James' succession in 1603 he accompanied the Queen and was made master of requests, besides continuing in the position of her secretary.

Of Harbert's personal association with the Scottish royal family I have so far unearthed no evidence that antedates his own allusion in 'Cadwallader' to having been in the service of the young Prince Henry for some twelve months—an allusion which does, however, point to a connection with them prior to their arrival in England. In view of James' desire to win support among the leading Roman Catholics such a connection could very well have been brought about by Montgomery or one of the Fowlers.

In the *State Papers (Domestic)* under date 27th April, 1591, is an account of the examination of Henry Walpole, a Jesuit, in the Tower. He confesses that, while at Brussels, he had conferred with various well-known people, including the Earl of Westmorland, Chas. Paget, Thomas and George Throckmorton, William Tresham, and Herbert, and that he had come over to England to win the Queen's subjects to the Catholic faith. In spite of his Catholic upbringing, I would not include this very doubtful link with William Harbert

were it not for a memorandum of bonds covering a period of years prior to the end of November, 1605, in which Sir William (as on that date he would have been) is one of a number whose bonds were held by others, among whom were members of the Throckmorton and Tressam [Tresham] families.

In the same year [1591] there is a record of a licence of alienation from William Harbert to Robert Hayward. It is not, however, until 1595 that we establish our first definite connection with Mr. W. H., and for this we have to thank that indefatigable purveyor of society doings—Rowland Whyte. Writing to Sir Robert Sydney on 12th November, he says: 'Sir Ed. Harbarts Sonne and Heyr, was examined by my Lord of Canterbury, and doth goe to Church; and now shal be a Deputy Liffenant in Montgomeryshire.' Ten days later he informs Sir Robert that Sir Edward Harbert's eldest daughter has been married to Sir William Stanley's son—'which makes my Lord of Pembroke very melancholy.'

To the august head of the family it was naturally unpalatable to be thus allied to the son of the betrayer of Deventer, and only the death of Sir Edward eight months earlier could have made the match possible. One might conjecture the same reason for Mr. W. H.'s public acceptance of Protestantism. Although he was to become a devout Catholic in later life, religion

could have mattered little to him during the period of the Sonnets and for some time afterwards. His feet were still on the lower rungs of the ladder, and literature with its friendships and controversies mattered much more.

Two years were to elapse, however, before his church-going obtained him the appointment of 'Deputy Liffenant'. On 3rd of 9^{ber}, 1597, the Privy Council addressed the following letter to the Lord Keeper:

Whereas wee have understood that there is want of sufficient Deputy Lieutenantes in the countie of Montgomery. . . . Forasmuch as wee have bin well enformed of the sufficiencie of William Harbert of Poole Castle, Richard Harbert of the Park and Richard Morrys, esquires, and they are known unto our very good Lord the Earle of Pembroke, her Majesty's Lieutenant of that countie, to be meet men for the place of Deputie Lieutenantes under his Lordship, wee do therefore praie your Lordship to renew the Comission of Lieutenancie unto the said Earle of Pembroke for the countie of Montgomery, and therein to ordaine and sett downe for his Deputie Lieutenantes the said William Harbert, Richard Harbert and Richard Morrys according to the comission that hath bin graunted unto your Lordship by her Majestie under the Great Seale of England in that behalf. And this our letter subscribed by so many of us as her Majesty's said Comission doth require shal be your Lordships sufficient warrant. . . .

Another letter from the same source also concerns the fitness of Mr. W. H. for the post.

This, his twenty-sixth year, marked important changes in his life. As the tablet to Sir Edward Herbert at Welshpool informs us, he was already married. He became for the first time M.P. for the county of Montgomery. He had inherited his share of Sir Edward's estates and was also patron of Doddington Church, Gloucestershire—circumstances which resulted in his being joint defendant with Francis Fitton, Esq. (his mother-in-law's second husband), in Chancery proceedings brought by Richard Codrington.¹

In the same year, too, Nicholas Breton had dedicated to him *Wits Trenchmour*, and his intimacy with Shakespeare was ending. We may well ask what caused this break in a friendship that had lasted three years or more. Did public honours and new associations make it imperative for him to bury the past and at the same time lead him to aspire to 'nobler' friendships? I think so. And I think that Shakespeare earlier points to such a possibility in those curious lines of Sonnet 36:

*I may not evermore acknowledge thee,
Lest my bewailed guilt should do thee shame;
Nor thou with public kindness honor me,
Unless thou take that honor from thy name:*

¹Bill for discovery respecting settlement. The Manor, farm or Grange of Doddington and lands in Doddington, co. Gloucester, and the Manor of Hendon, co. Middlesex, the estate of Sir Edward Herbert, Knight, deceased. [See Appendix A.]

And then, in the following Sonnet, Shakespeare, knowing the true facts as he knew human nature, ungrudgingly wishes him luck:

*As a decrepit father takes delight
To see his active child do deeds of youth;
So I, made lame by fortune's dearest spite,
Take all my comfort of thy worth and truth;
For whether beauty, birth, or wealth, or wit,
Or any of these all, or all, or more,
Entitled in thy parts do crowned sit,
I make my love engrafted to this store:
So then I am not lame, poor, nor despis'd,
Whilst that this shadow doth such substance give,
That I in thy abundance am suffic'd,
And by a part of all thy glory live.
Look what is best, that best I wish in thee:
This wish I have; then ten times happy me.¹*

Shakespeare's lameness here was the fortune, or misfortune, of his birth and profession. These had not mattered while Mr. W. H. was a young man without responsibilities, for then he could associate fairly freely with him. The one could write; the other learn, and

¹Cf. William Harbert's parallel in 'Cadwallader' with the last line of the above Sonnet, then unpublished:

*When Alexander sawe that precious stone,
Under whose Isye wings Achilles lay:
Shedding ambitious teares, he said with mone,
Unhappy I, and ten times happy they. . . .*

perhaps assist in the polishing or correcting of MSS. But once Mr. W. H. had accepted public honours and the obligations inseparable from them the whole programme of his life was altered, and the blots of Sonnet 36, whether personal or literary, were left to Shakespeare.

*So shall those blots that do with me remain,
Without thy help, by me be borne alone.*

Time, too, was no more to be their servant:

*In our two loves there is but one respect,
Though in our lives a separable spite;
Which, though it alter not love's sole effect,
Yet doth it steal sweet hours from love's delight.*

The feeling that gave birth to Shakespeare's Sonnets was deep and genuine, but unavailing. And the reason why it was unavailing when the test came, was the eternal one—that it was not fully reciprocated.

*O, no: thy love, though much, is not so great;
It is my love that keeps mine eye awake;
Mine own true love that doth my rest defeat,
To play the watchman ever for thy sake:
For thee watch I, whilst thou dost wake elsewhere,
From me far off, with others all too near.*

If we dislike being disillusioned let us say on Mr. W. H.'s behalf that he was the victim of circum-

stances; that his outlook and friendships were fluid, not for any ulterior motives or snobbish reasons, but because in a man of his age and position they were bound to be fluid. We must always remember that in 1597 Shakespeare was mortal, not immortal. He had not yet reached the zenith of his career. As a poet and dramatist he was accounted among the best, but by no one *the* best.

The past, owing to certain discreditable occurrences, may very well have had to be buried, but it is in the lines of Sonnet 61, quoted above, that we find the germ which allowed Mr. W. H. to seek new friends and the future without regret.

III

By marriage William Harbert was connected with an avowedly Catholic family. His wife's father, Henry Percy, 8th Earl of Northumberland, had been interested, if not actually implicated, in Throckmorton's plot to release Queen Mary, as a consequence of which he was deprived of the Governorship of Tyne-mouth Castle. In December 1584 he was sent to the Tower for the third time. On 21st June, 1585, death came to him in his cell.

The Catholics asserted that he had been murdered; rumour associated Sir Christopher Hatton with the crime, and a few years later Raleigh, in a letter to Sir Robert Cecil, referred to Hatton's guilt as proved, though there seems to be no authentic proof of this assertion. [D.N.B.]

Percy's widow, Catherine Neville, subsequently married Francis Fitton¹ of Binfield, Berks. (whom I have already mentioned), and died 28th October, 1596, being buried in Westminster Abbey. Her ten children by the Earl included Eleanor Harbert; Lucy, who married, first, Sir John Wotton; Henry (1564-1632), 9th Earl; and William (1575-1648), poet. Of the others Sir Charles and Sir Josceline were implicated in the Earl of Essex's abortive uprising in February, 1600-1. They were, in fact, responsible with others for attempting to incite the populace by putting on *Henry IV* and *Richard II* at the Globe Theatre on the eve of the rebellion.

This entire generation of the Percys was keenly interested in literature. Sir Charles, a close friend of Southampton, must have been personally acquainted with Shakespeare, and his enthusiasm for the great dramatist's work is amply testified by the following letter, written by him to Mr. Car-

¹They were married in 1588. Francis was the great-uncle of Anne and Mary Fitton. He died 1608.

lington [Dudley Carleton?] on 27th December, 1600[?]:

I am so pestered with country business, that I cannot come to London. If I stay here long, you will find me so dull that I shall be taken for Justice Silence or Justice Shallow; therefore take pity of me, and send me news from time to time, the knowledge of which, though perhaps it will not exempt me from the opinion of a Justice Shallow at London, yet will make me pass for a very sufficient gentleman in Gloucestershire. If I do not always answer, pray do not desist from your charitable office, that place being so fruitful and here so barren that it will make my head ache for invention. Direct your letters to the Three Cups in Bread Street, where I have taken order for the sending of them down.

P.S.—You need not forbear sending news hither in respect of their staleness, for I assure you they will be very new here.

Only a few months earlier had *Henry IV, Pt. II*, been entered in the Stationers' Register. And among the many references it contains to Justice Shallow is one that connects him, like Harbert and Percy, with Gloucestershire:

Falstaff: Let them go. I'll through Glostershire; and there will I visit Master Robert Shallow, esquire. . . .

[4.3.139.]

William Percy, another brother-in-law of Mr. W. H., was an intimate friend of Barnabe Barnes, son of the Bishop of Durham, with whom he had been at

Oxford. The strength of this early friendship is evident from the fact that Barnes dedicated his first and most famous work: *Parthenophil and Parthenophe* in 1593 to 'the right noble and vertuous gentleman, M. William Percy, Esquier, his dearest friend'. A year later Percy returned the compliment in his *Sonnets to the fairest Cælia* by including a madrigal 'To Parthenophil upon his Laye and Parthenophe'. As was the custom of the time, he promised a more fruitful work, but, except for six plays in MS., written apparently for the child actors of St. Paul's, and a madrigal in Barnes' *Four Bookes of Offices*, 1606, his promises were unfulfilled.

Barnes' affection for Mr. W. H. is given public expression in *The Divils Charter*, A Tragedy, which is addressed 'To the Honourable and His Very Deare Friends Sir William Herbert, and Sir William Pope Knights, Associates in the Noble Order of the Bathe. Barnabe Barnes consecrateth his love.' It was published, 1607.

Henry Percy, who had become 9th Earl in 1585, was interested in literature, scientific experiments and tobacco, gaining for himself the sobriquet of 'the Wizard Earl'. George Peele celebrated his installation as a Knight of the Garter in 1593 by a poem entitled: *Honour of the Garter*. In 1595 he married Essex's sister, widow of Sir John Perrot, and later served in the Low Countries, where he came to loggerheads with the

Commander-in-Chief, Sir Francis Vere, and Southampton. On James' promise of toleration for the Catholics he supported his candidature for the throne and, on his succession, was made a privy councillor and captain of the band of gentleman pensioners. [D.N.B.] Like William Harbert he was made M.A. at Oxford in 1605.

Prior to this, in 1599, Mr. W. H. had been appointed a magistrate for Montgomery. With him on the bench were Sir Thomas Egerton and the Earl of Essex (*Magna Session tent. apud Mountgom. 2 July*). The records for 43 Elizabeth are partly destroyed, but in 1601-2 his name again appears with those of Thomas Sackville, Lord Buckhurst, and R. Lewknor. It is not, alas! possible, without supporting evidence, to connect him with the William Herbert who on 1st June, 1600, wrote to Thomas Harvey, clerk of the Star Chamber, on the subject of a quarrel at the Bull in Tewkesbury, wherein John Merry Bishop accused one, Coleman, of stealing widow Coleman's mare. We must therefore pass on to 1603.

IV

Elizabeth's death and James' succession gave new hope to many and produced a mass of eulogistic literature that is of little interest now. But among those whose hopes were realised and whose pens were busy was Mr. W. H. We find towards the end of his long poem, 'Cadwallader', stanzas on the death of Elizabeth and in praise of the new king; and, following these, the separate and shorter 'Poeme to the young Prince'. Like others he is careful to steer an adroit course. After comparing Elizabeth to the silver moon, he continues:

*But when that Virgins Goddesses doth decrease,
Her picked forkes their course to Terra bend:
So when our Englands Lunas light did cease,
The Artike Clime an Unicorne did send, . . .*

And for the Unicorn, King James, he offers another simile, drawing it this time from Shakespeare's *Julius Caesar*, composed about 1600, but not printed until 1623:

*To whom shall I this Northern starre compare?
To Caesar . . .*

Cf. *Caesar*. But I am constant as the northern star.

[3.1.60.]

Two further references to the royal family are similarly worth quoting in view of their closeness to lines in another of Shakespeare's plays. I take them

from my consideration of 'Cadwallader'. They follow within a few lines of each other as do their parallels:

[Harbert] *God prosper them with pure prosperity.*

[Shakespeare] *And bless it to all fair prosperity.*

Midsummer Night's Dream, 4.1.95.

[Harbert] *Be as thou art alwayes.*

[Shakespeare] *Be as thou wast wont to be. . . .*

Midsummer Night's Dream, 4.1.176.

It can be safely assumed, I think, that most, if not all, of the eulogistic portion of 'Cadwallader' was composed after the Coronation, at which Mr. W. H. was created a Knight of the Bath. Its enthusiastic flattery may therefore be ascribed to genuine feelings of affection and gratitude rather than to desire for preferment. Mr. W. H., fearing that his motives may be misunderstood, devotes a few lines to the reasons that prompted his praise of Prince Henry:

*'Tis no mechanicke hope of hired gaine
That moved my minde these labours to sustaine.*

*No, that ignoble baseness I abiure,
It was the love I ever bare the place
Where first I breathed life did me allure,
In pleasant paines for to consume a space,
And her to prayse, though with mine owne disgrace:
With my disgrace, why? though my verse be ill,
.. . I do not doubt to please the good with will.*

*The lotted servant to thy Infant age,
Thrice glorious issue of a gracious King,
Least that her twelve monthes fearefull tapynage,
Ingratitude suspect to thee should bring,
Me, though unworthy, chose thy prayse to sing.*

'Cadwallader' was published, we are told, at the request of friends:

*The love of friends, not prayse did me perswade,
Against my will, against the streames to wade.*

It was followed in the succeeding year by a commendatory poem, signed *William Harbert*, in Peter Erondell's *The French Garden: for English Ladyes and Gentlewomen to walke in*. Other laudatory poems in this little volume are by Nicholas Breton and S[amuel] D[aniel].

As I hope to discuss Mr. W. H.'s literary work in a later paper I will but briefly mention the only other contributions at present attributed to the pen of the author of 'Cadwallader'. They are to be found at the beginning of the Second Book of William Browne's *Britannias Pastorals*, 1616, and are addressed by *W. Herbert* 'To his worthily-affected Friend Mr. W. Browne'. The Book itself is dedicated to William, Earl of Pembroke, with whom Browne resided for some time at Wilton.

V

Among the Signet Office docquets of 1605 is one assigning to Lady Mary Herbert the lease of the lordship and manors of Kerry and Kedewen, Co. Montgomery, at a rent of £197 2s. 5d. This lease is noted in the *Calendar of State Papers (Domestic)* under date 23rd August. In Vol. I of the *Powysland Club Collections* it is stated that these manors and the borough and castle of Montgomery were granted to Sir William [her son] in 1616. Presumably from this date the rent payments were discontinued.

In January, 1610-11, the keepership of Folly John Park, Windsor Forest, had been awarded him for life, its reversion shortly afterwards being promised to the Earl of Montgomery. At this time Sir William Herbert was engaged in a suit connected with Sir Rowland Stanley's lands, entailed on his brother-in-law. From a letter written by the Countess of Derby to her uncle we learn that these lands were to pass to the King at Sir Rowland's death—he was then ninety-four and the oldest knight in England—and would not return to his grandson until the death of Sir William Stanley, who, since his betrayal of Deventer, had remained in the Low Countries. The Countess seems to have been personally interested in the suit, for she refers to having caused it to be stayed, and gives both

as her own and Sir William Herbert's reason for it 'that he may compounde himself rather then to trust to the curtesye of his Brother[-in-law]. . . .' In the following month [December] John Chamberlain, writing from London to Sir Dudley Carleton, includes the news that Sir William Herbert has been arrested on an execution for £5,000. Unfortunately no details are added, but we may infer that his detention was of short duration.

As a matter of fact this was by no means the first time that he had been involved in financial difficulties. In 1597 and 1599 there had been judgments against him for debt, the petitioners being William Stone, cloth-worker, and James Stanley, scrivener—both of London. In the second case Harbert was associated with Thomas Jucks of Montgomeryshire. Then again in 1607 he was defendant in yet another action, brought by Elias Letilier, which resulted in his being 'outlawed in London'.

There happened to be one man who could both appreciate and profit by this misfortune, and his name, not surprisingly, was Vaughan. He was the son of John Owen Vaughan, Sir Edward's old antagonist, and the father of that Sir Robert who, incredibly enough, was to marry Katherine Herbert. It is from him that we learn not only of Letilier's action but also of the excommunication of Dame Mary Herbert and

certain of her children, Katherine included. These revelations form the substance of a document that would never have existed had not Sir William Harbert at this time lodged a Bill of Complaint, charging this Owen Vaughan with the very same trespassing that had caused Sir Edward to fight action after action against his father.

The two documents¹—Harbert's *Bill of Complaint* and Vaughan's *Plea of Demurrer*—are of considerable value for the light they throw on the characters and methods of the contestants. Perhaps I should have written 'of the families', since the contest had already been renewed by the first generation and was destined to be carried on by the second. But whichever generation it was, one is driven to the same conclusion—that the Herberts wanted justice and the Vaughans wanted victory. Was it because both sides at last wanted peace above everything that Katherine was married to Sir Robert? If this were so, it might explain the omission of his name from her tombstone. Yet we can find many better reasons for that omission in the events that came after their short married life.

Meanwhile Sir William Harbert had somehow escaped from his creditors and was continuing his ascent of the ladder. Relative facts of this middle period may be summarised rather more briefly under the date of their occurrence.

¹See Appendix B.

1613. Served the office of High Sheriff of Montgomeryshire.

1613-14. 21st March. Admitted to Lincoln's Inn at the request of Thomas Richardson. On the same day was also admitted Sir Henry Nevill of Billingbere, Berks.

1614[-15?]. 2nd March. Sir John Danvers writes him regarding a trip abroad: 'I have received a letter from you with direction for securing your bills for Turin. I had already engaged my credit to Signor Burlimacha. . . .' And again on 8th April, 1615: 'I have procured Signor Burlimacchi's directions for your credit at Lyons and Paris.'

1622. Percy Herbert, his son and heir, created a baronet.

1623. John Chamberlain informs Carleton in a letter that Sir William Herbert's new house in Surrey has been burnt down.

1625. Katherine, the young widow of Sir Robert Vaughan of Llydiarth, married Sir James Palmer. He was a governor of the royal tapestry works at Mortlake and an amateur artist who copied several pictures in the royal collection, one of them being Titian's *Tarquin and Lucretia*. Their four children included Roger, Earl of Castlemaine.

1628. Sir William Harbert a Member of Parliament for the last time. He had already represented Mont-

gomeryshire in the Parliaments of 1597, 1603, 1614, 1620, 1623 and the second of 1625.

The *Journals of the House of Commons* provide a record of his parliamentary activities. Of the Committees on which he served, the earliest that I have been able to find was formed on 26th March, 1604, for a conference with the Lords on the matters of Wardship, Respite of Homage, Licence of Alienation, etc.

1629. The first of England's eleven years without a parliament saw Sir William Harbert, K.B., elevated to the peerage with the title Baron Powys of Powys. He took his seat in the House of Lords on 27th April, 1640, having been introduced 'between the Lord Howard and the Lord Goring, and his Patent being delivered, on the knee, to the Lord Keeper, and afterwards to the Clerk, he was placed next to the Lord Dunsmore'.

1630. The only document of a personal nature that I have seen in his hand is a long letter dated 5th November, 1630, which is preserved in the Public Record Office. It is addressed to Sir Henry Vane, then Ambassador at the Hague. The writing is clear and forceful, betokening a virility that the contents of the letter support to the full.

Mr. W. H. was in his fifty-ninth year far removed from the enthusiasms of his youth, but not yet too far or too occupied to forget them. 'I wish you were

here,' he says, 'that we might be merry together and laugh at plays. . . .'

I make no excuse for setting down the greater part of this most interesting letter. After touching upon the difficulty of communicating earlier with Sir Henry, he continues:

Since my coming back from the Progress I fell so dangerously sick at Hampton Court that I entertained little hope of either writing to or seeing you again, and am but now newly yet perfectly recovered. I suppose you have heard about our passages in the Progress and particularly of the Queen's displeasure towards the Lord Treasurer. . . . Yesterday the Lord Treasurer kissed the Queen's hands, and she in outward appearance is fully reconciled to him. This peace was made by no one but the King's own labour and mediation to the Queen. . . . There was all this summer a little coldness between the Lord Treasurer, Carlisle, and Goring, but upon private expostulations all things that made the mistakings were cleared and they stand right again. I will leave the particulars of the passages between them till we meet, when we will make our comments upon them, and to say truly, those particularities are fitter for a private discourse between ourselves at midnight or upon a stone in Scotland Yard than to be committed to paper. The Court was never so full of factions and enmities and emulations as now it is, but the heads and captains of them are poor and mean, both in wit and judgement and power too, to manage actions of that nature in respect of those we knew in our times. My Lord of Holland, Chevalier de Jars, and Walter Montacuwe are the only pragmatcal men now in the Court, and what effects can be expected from them I leave to

your own judgement to guess at. I thank God we are free men now and look and laugh at the follies of others, and find a great deal of sweet to be disengaged from these broils, and are infinitely courted on all sides. I wish you were here that we might be merry together and laugh at plays unto which we are much given, for seldom there passeth a week without a play or two; there was never such subject for mirth and laughter as now, and we may now be merry at a play without danger. . . .

Then comes what is for us a surprising piece of news:

My lady is well and brought a bed of a lusty boy whom I have not yet seen nor will till the christening; the gossips I will not name because I imagine you know, the choice is good. I pray make haste home and let us have you in print no more till I see you, which I never longed more for than now, and I shall kiss your hands and will ever rest your most faithful friend and humble servant

Powys.

At Whitehall.

The genealogical and official records that I have consulted contain no mention of this infant Isaac. It seems more than likely that he was born at Red Castle, which would have been too great a distance from Whitehall to be visited except on special occasions, such as this christening. His name may therefore be in the parish records of Welshpool, if he died very shortly after birth.

Lord Powys' multifarious duties and interests must have kept him away from the Castle for long periods.

For years he had been, and was to be, involved in litigation with yet another Vaughan before the Council of the Welsh Marches, the Court of Wards, the Star Chamber and half a dozen other Courts in London and elsewhere. His estates, too, were spread over a large area, and as one of the gentlemen of the Privy Chamber he was frequently required at Court and in attendance on the King. Even so, he managed to pay a short ceremonial visit to Shrewsbury with his son-in-law in 1631, the manuscript *Chronicles of Salop* recording against the date, 31st March:

Spent on the Lord Powis and Sir James Palmer 4s. 4d.

Earlier in the same month the Lord Treasurer had requested Attorney-General Heath to prepare a bill covering the royal grant to Lord Powys of the offices of Constable of the Castle of Radnor and of the Stewardship of various manors in that county. This grant—the last of his many honours—is confirmed in a docquet of 30th June among the *State Papers (Domestic)*.

VI

Behind all the pomp and circumstance of these later years we are allowed one more glimpse of his personal life before it was shattered beyond repair. About

this time his daughter Lucy was being wooed and won by a young poet named William Habington, who in 1634 was to publish anonymously *Castara*, a collection of poems in her praise. A son of Thomas Habington, the Popish conspirator and antiquarian, he had already written commendatory verses for d'Avenant and Shirley, and could have been relied upon in the Powys household to speak with some authority on the literary aims and ideals of his generation. But it is much more probable that he preferred, both as a suitor and a rising poet, to listen to reminiscences of a greater past and comment favourably upon 'Cadwallader'.

This love of poetry formed a bond between the older and the younger Mr. W. H., which was undoubtedly a powerful ally to the latter in the prosecution of his suit. If, because of it, he succeeded in marrying Lucy, we may be sure that his father-in-law suffered no regrets. Rather did he find fulfilment of that prophecy made to him forty years earlier:

*How much more praise deserv'd thy beauty's use,
If thou couldst answer—'This fair child of mine
Shall sum my count, and make my old excuse'—
Proving his beauty by succession thine!*

*This were to be new-made when thou art old,
And see thy blood warm when thou feel'st it cold.*

Habington's *Castara* was well received, and a second enlarged edition appeared in 1635, the author's name being then divulged above some commendatory verses by G. Talbot. Following Mr. W. H.'s example in 'Cadwallader', he speaks in his introduction of appearing 'to strive against the stream'. To his future mother-in-law, 'the Right honourable the Lady E. P.', he confesses:

*... I not ascribe the bloud of Charlemaine
Deriv'd by you to her. Or say there are
In that and th' other Marmion, Rosse and Parr,
Fitzhugh, Saint Quintin, and the rest of them
That adde such lustre to great Pembrokes stem.
My love is envious. Would Castara were
The daughter of some mountaine cottager,
Who with his toile worne out, could dying leave
Her no more dowre, then what she did receive
From bounteous nature.*

There is a reference to *Seymours*, the house in which *Castara* lived, and later comes a description of her in the bosom of her family:

*... She obeys with speedy will
Her grave Parents wise Commands.
And so innocent, that ill,
She nor acts, nor understands
Womens feet runne still astray,
If once to ill they know the way.*

The Second Part of *Castara* was composed after their marriage, which Habington announces in a somewhat flippant manner to his father-in-law. Evidently Mr. W. H. permitted poets a certain latitude denied to others—even this:

*My Lord,
The reverend man by magicke of his prayer
Hath charm'd so, that I and your daughter are
Contracted into one. . . .*

There are several Shakespearean parallels in *Castara* and one reference to Shakespeare himself:

*I have now
So riche a sacke, that even yourselfe will bow
T'adore my Genius. Of this wine should Prynne¹
Drinke but a plenteous glasse, he would beginne
A health to Shakespeares ghost.*

Another edition of this work followed in 1640 with a third Part containing a number of devotional and meditative poems. In the same year Habington published, by command of King Charles, *The Historie of Edward the Fourth*, which had been left unfinished by his father. And his play *The Queene of Arragon* was published anonymously.

¹William Prynne, the virulent author of *Histriomastix* and the bitterest enemy the stage ever knew, had but recently lost both of his ears and been sentenced to life imprisonment in the Tower.

A great year for Habington! And then it suddenly occurred to me that 1640 was the year in which a far greater volume of poems had for the second time been printed.

Could there be any connection, I wondered, between all of these publications? At any rate it would be interesting to look up the names of their printers.

Here is what I found.

Castara. The Third Edition. Printed by T. Cotes.

The Historie of Edward the Fourth. Printed by T. Cotes.

The Queene of Arragon. Printed by T. Cotes.

Poems: written by Wil. Shake-speare, Gent. Printed by T. Cotes.

Perhaps just a coincidence, and so for the present I will leave it, merely adding, first, that Cotes took on the business of the Jaggards, who produced the First Folio in 1623; and secondly, that Bernard Alsop, who printed the Second Edition of *Castara*, i.e. the first that contained Habington's name, had been in partnership with and succeeded Thomas Creede, the printer of 'Cadwallader' and many of the Shakespeare quartos.

VII

The epithet 'grave', which Habington had attached to his wife's parents, was in the main an accurate one so far, at least, as Lord Powys was concerned. In a letter dated 5th December, 1639, to the Countess of Leicester, Algernon, Earl of Northumberland, wrote:

My Lady Carnarvon conditioned before she would promisse to be of the Maske, that it should not be daunced upon a *Sunday*, for she is growne so devout by converseing with my Lord Powis and the Doctor, that now she will neither Daunce nor see a Play upon the Sabath . . .

Equally devout was his Roman Catholic son, Sir Percy. So much so, that in February, 1637-38, a proposal had been put forward at the Council Table to have his son William, then ten years of age, taken from him and brought up in the Protestant faith. Mr. Garrard, after relating this news to Lord Wentworth, adds: 'My Lord Powis was not pleased much with this motion, gets access to the King, pleads hard for his son, humbly desires that his son may not be held the most Jesuited papist of England, and made the only example of this kind, but he should do it much more willingly if it were generally done.' And Garrard concludes: 'Nothing of the kind is done yet, but my Lord Chamberlain presseth my Lord of Canterbury often in this particular.'

But with all his gravity and years Lord Powys remained in the thick of affairs—a combatant to the last. In the summer of 1637 he interfered in a quarrel between Sir John Maynard and Jack Craven and received several blows for his trouble. In February, 1638-39, we find him replying to the King through Secretary Windebank 'that both myself and my son will attend his Majesty at York in the best equipage we can, and will ever be ready to spend our lives and fortunes in his service'. The following month he was, according to Garrard, damning himself to the pit of hell over a possible marriage between his kinsman Lord Herbert and 'widow Banning'.¹

At heart, a poet; by fortune's spite, a realist. And when he might have escaped from the world there was always his loyalty or his litigation to drag him back.

Another of his grandsons had been the unwitting cause of the interminable litigation to which I have already referred. It will be recalled that Lord Powys' elder daughter Katherine had married Sir Robert Vaughan. He died about 1623-4, leaving her with one young daughter, whereupon his brother Edward seized his house and lands, forged a deed and will in his own favour and held this child captive in the

¹Lady Bayning was the only daughter of Sir Robert Naunton, Master of the Court of Wards.

house, from which by force of numbers he was able to exclude her mother. Lady Vaughan was in no condition to resist these extraordinary doings, for shortly after the death of her husband she gave birth to a son Herbert, on whose behalf Lord Powys immediately commenced proceedings.

Edward Vaughan, however, was one of the kind who believe that possession is nine points of the law, and like his father and grandfather, he was a master in the art of holding what he had. In 1628, four years after the Privy Council had requested the Lord President of Wales to afford speedy redress to Lady Vaughan, he solemnly affirmed in the Court of Wards that her son was the child of a certain Helen Gilbert.

Thus, by one means and another, the fight was carried on for seventeen years, and it seems very doubtful that any final decision was ever obtained by lawful means, for as late as 1640-1 a Petition of Lord Powys to the Council states that by forgery and subornation Edward Vaughan is still trying to prove that the said Herbert Vaughan is a suppositious child and to support a settlement of the lands in his favour.

The Petition prays, not without reason, that the matter may be heard and determined by their Lordships. It might well have prayed also for a system of centralized justice.

But England had weightier matters to decide, and the time had arrived to decide them. Parliament issued its *Grand Remonstrance*, and the King demanded the impeachment of the five members. Failing to secure this, he went in person to the House, attended by armed cavaliers, and the next day to the City to demand their surrender. Into his coach fluttered a paper—‘To your tents, O Israel’.

No longer was it just Powys against Vaughan, but King against Parliament.

VIII

THE LAST PHASE

The year 1642 saw the beginning of the Civil War. Law suits were affairs of the past, left heritage for the future, and Lord Powys with as many horse and foot as he could muster made Red Castle a garrison for the King. In the course of the campaign Charles came with his army to Welshpool and slept at the Castle, the room which he occupied being afterwards decorated with the royal cipher and crown. These decorations still exist, and the room is known as King Charles’ room. Legend has it that Charles II was after-

wards on the point of coming to Red Castle and of occupying this room, but was prevented from doing so by his disastrous defeat at Worcester. Long before that, however, the castle with all that it contained had passed into Cromwell's hands.

Although not built to withstand bombardment—a fact that was to save it from the fate of other more fortified Royalist strongholds—it lay in a position of great strategic importance between Oswestry and Montgomery Castle and was reckoned by the Parliamentarians to be of sufficient strength to resist a long siege. In the summer of 1644 Colonel Mytton, governor of Oswestry, joined forces with Sir Thomas Middleton and marched to Welshpool, where Prince Rupert's own regiment of horse was quartered, recuperating, no doubt, after their rout the previous month at Marston Moor. The attack took place early one morning, and the Prince lost so many horse that the 300 Parliamentary foot were able to ride home. From this date Red Castle, with its reputed garrison of 'at least 200 Welsh and Irish Papists', was cut off.

The next we hear of it is in a letter from Sir Thomas Middleton to the Committee of both Kingdoms.

Red Castle, Oct. 2.

I make bold to acquaint you that since my last we have obtained a second victory in taking Red Castle after an hour's fight without the loss of one man. We attacked it

this morning with 300 foot, leaving only 100 men with the carriages, and this force, with 50 horse, is all the strength I have left, the rest being run away for want of pay, whereby you will perceive the weakness of my condition. In this event it pleased God to magnify himself upon his enemies, for it was conceived impossible to take that castle with fewer than 10,000 [1,000?] men and at least a six months' siege. . . .

Of its actual capture I cannot do better than quote from another contemporary account:

Burning bush not consumed. About the 6th of this instant [October 1644] letters from Welchpool were brought to London which certified that renowned Sir Thomas Middleton had taken Red Castle, a place of very great consequence, and one of the enemies strongest holds in North Wales. The manner of the taking of it was to be thus:—the enemy in this Castle (whereof be the Lord Powis a great Papist, and most desperate and devilish blasphemer of God's name, was Governor, and the owner also) did often oppose and interrupt the bringing in of provisions into our forces at Montgomery Castle; whereupon Sir Thomas Middleton summoned the whole country thereabouts to come in unto him, and presently upon it advanced from Montgomery to Pool with 300 foote and 100 horse, where they quartered on the Monday and Tuesday night following, and on the Wednesday morning next, at two of the clock even by moonlight, Mr John Arundell, the master gunner to Sir Thomas Middleton, placed a petard against the outer gate, which burst the gate quite in pieces, and (notwithstanding the many showers of stones thrown from the castle by the enemy) Sir Thomas Middletons' foote, commanded by Captain

Hugh Massey and Major Henry Kett, rushed into the porch of the castle, and so stormed the castle gate, entered it and possessed themselves of the old and new castle, and of all the plate, provisions, and goods therein (which was a great store) which had been brought from all parts thereabout; they also took prisoners therein, the Lord Powis and his brother with his two sons, together with a seminary priest, 3 captaines, 1 lieutenant, and 80 common souldiers, 40 horse and two hundred armes. . . .

From the *Sequestration Papers* we learn that Lord Powys was sent, a prisoner, to the garrison of Wem, then to the garrison of Stafford, and thereafter to London upon parole, where he remained at his lodging in the Strand. These details of his movements were supplied, 17th June, 1645, on oath by Charles Jones, 'servant to the said Lord Powis, aged and infirm.'

The Lords had actually ordered his removal to London the previous November, but he could not have reached there much earlier than the date of this testimony, for on 14th July, 1645, they were considering a letter written by him from Stafford on the subject of an allowance for maintenance. This letter was addressed to no other than Philip Herbert, now Earl of Pembroke and Montgomery,¹ who long before had been eulogized in the dedicatory verses of 'Cadwall-

¹Sir James Palmer had written to the Earl from Oxford on 25th March, assuring him of his fidelity, and requesting consideration for 'the distressed estate of Lord Powis, who is a prisoner at Stafford, and Herbert Vaughan, your Lordship's ward, taken at the surprise of Shrewsbury, not an enemy but only living there, and had nothing to do in this war. . . .'

ader'. Like so many of the Herberts, and like William Habington too (if we can believe later gossip), he had thrown in his lot with Parliament. Only Mr. W. H. and his immediate family remained loyal to the King.

In the meantime a fine of £1,192 had been imposed on the prisoner from Red Castle, covering a period of twenty-nine weeks from the day of its capture. Of this fine the County of Montgomery paid £818 9s., the balance being due at the end of June. Sir Percy Herbert was similarly fined £1,007.

The matter of the allowance came up again on 19th August, when the House of Lords was informed 'that the Lord Powys, being in Prison, suffers much for want of Necessaries to maintain him; and that there are Sixty Pounds due to his Keeper, for his keeping; therefore it was desired that some course might be taken for the Payment of his Arrears, and his maintenance for the future'.

The Lords thereupon agreed, subject to the concurrence of the Commons, that the sixty pounds should be paid out of Lord Powys' estate, and that he be allowed seven pounds a week from the same source.

But the Commons objected. Perhaps they remembered that his wife had been given a third part of the estate and had petitioned for more—even at the time when he was holding Red Castle against them. Perhaps they mistrusted the Lords on principle. What-

ever their reason, they waited until 15th October and then voted him not seven pounds but four.

Thenceforth they forgot him.

So ended the official life of Sir William Harbert, K.B., Baron Powys of Powys in the County of Montgomery—poet, and Shakespeare's friend.

IX

*Like as the waves make towards the pebbled shore,
So do our minutes hasten to their end;
Each changing place with that which goes before;
In sequent toil all forwards do contend.
Nativity, once in the main of light,
Crawls to maturity, wherewith being crown'd,
Crooked eclipses 'gainst his glory fight;
And time that gave, doth now his gift confound.*

Fifty years separated the fair youth of the Sonnets from the aged and infirm prisoner of the official record, and of the toil of them nothing remained. It must have seemed like the end to him, who during those years had known greatness and climbed so high. Yet it was not the end, for he was to live through

another decade and miss the Restoration by but fifty months—a short enough space of time when measured by the span of his life. And when the end did come, he had outlived everyone—his wife, three monarchs, and the whole immortal galaxy of poets, dramatists, and writers who had filled his golden time.

The one thing he was assured of was a monument. But how long would even that survive, no one could say in those still troubled hours. I like to think that already he had looked through the windows of his age and found another.

*Not marble, nor the gilded monuments
Of princes, shall outlive this powerful rhyme;
But you shall shine more bright in these contents
Than unswept stone, besmear'd with sluttish time.
When wasteful war shall statues overturn,
And broils root out the work of masonry,
Nor Mars his sword nor war's quick fire shall burn
The living record of your memory.
'Gainst death and all-oblivious enmity
Shall you pace forth; your praise shall still find room,
Even in the eyes of all posterity,
That wear this world out to the ending doom.
So, till the judgement that yourself arise,
You live in this, and dwell in lovers' eyes.*

APPENDICES

- A. The Answer of Francis Fitton, Esq., to the Bill of Complaint of Richard Codrington, Esq. 1597.
- B. (1) The Bill of Complaint of Sir William Harbert, Dame Mary Herbert, and Sir William on behalf of his son, Percy, against Owen Vaughan, Esq. 1607.
- (2) The Plea and Demurrer of Owen Vaughan, Esq., to the said Bill of Complaint.
Transcribed from the original documents in the Public Record Office, London, and punctuated throughout for easier reading.
- C. A note on 'Cadwallader'.

APPENDIX A

[The Bill of Complaint of Richard Codrington sets down the arrangements made by Sir Edward Herbert respecting his properties in Dodington, Glos., and Hendon prior to the marriage that was being arranged a month before his death between William Harbert and Eleanor Percy. Part of this document has been torn away, and much of the remaining portion is now quite illegible. Attached to it, however, is a second document, answering the Complaint and recapitulating the matters that caused these proceedings to be taken.]

THE ANSWERE OF FFRANCIS FFYTON, ESQUIER, TO THE BILL OF COMPLAYNT OF RICHARD CODRINGTON, ESQUIER.

. . . in the seaven and thirtieth yere of the Queenes
M^{aties} Raigne that now is, Yt was concluded and
agreed uppon betwene Sr Edward Herbert, Knight,
in thys Bill mencōed, and this defht and the late right
honorable Lady Katheryn, Countesse of Northum-
berland, deceased, then the wief of this defht / That
Willm Herbert, Esquier, in the Bill named, sonne and
heire apparant of the said Sir Edward Herbert,
should mary and take to wief the Lady Elyonor

Percy, daughter of the said Countesse. And yt was also agreed what porcon of money the said S^{ir} Edward Herbert should haue for the said marriage, And what ioynture the said Ladye Elyonor should haue. And withall in what sorte the possessions of the said S^{ir} Edward Herbert should be establyshed and assured / In performaunce of which agreement Indentures were made, bearing date the fiftenth daye of ffebruary in the seaven and thirtieth yere of the Raigne of o^r Souraigne Lady Elizabeth . . . Betweene S^{ir} Edward Herbert, Knight, Dame Mary, then his wyef, and Willm Herbert, Esquier, eldest sonne and heire apparant of the said S^{ir} Edward of ths one pte: And Willm Lord Herbert of Cardiffe, Sir Thomas Cecyll, Knight, Willm Percy, Esquier, Sir William Herbert of Swansey, Knight, and this defht, ffrauncis ffyton, on thother pte. By w^{ch} the said S^r Edward Herbert did covenaut for levy . . . fines and makeinge other assurances to such effect and to such uses or the like as ys menced in the said Bill of Complaynt. But this defht saieth that the said S^{ir} Edward very shortly after died, no estate by fine or otherwise beinge executed as was intended. By reason whereof the Mannor of Hendon, and the Mannor of Dodington and the lands in Dodington, ould Sodbury and Yate in the Bill mencoed with other lands of the said S^{ir} Edward Herbert descended and came to the said Willm Herbert, Esquier, and certayne lands and tenements in Hendon aforesaid came to Dame Mary Herbert, wief of the said Edward, as pte of her jointure for her lief,

which Dame Mary for those lands, and the said Willm Herbert for the said Mannor of Dodington, lands and tenements in Dodington, ould Sodbury and Yate, did refuse to pforme such assuraunces as the said Sir Edward Herbert had covenanted shold be made. / And thereupon the said Dame Marye, and Willm Herbert and this defht fell to a new agreement and made Indentures accordinge to that newe agreement, Dated in or about the second of June in the seaven and thirtieth year of the Queenes Ma^{ties} raigne, By which the said Dame Mary and Willm Herbert did covenant to levye a fine of the said Mannor^r and landes in Hendon and of the said Mannor of Dodington, lands and tenements in Dodington, ould Sodbury and Yate, Which fine for the Mannor^r of Hendon and lands in Hendon was covennted to be to the use of the said Willm Herbert and Lady Elyono^r for terme of their lyves and the liefte of the longest srvyver of them. And after their deceases then to the use of the first begotten sonne of the said Willm Herbert of the bodie of the said Lady Elyono^r, and the heires males of the bodie of the same first begotten sonne, and so to divers several [?] sonnes with other Remainders in use, w^{ch} this defht remembereth not but referreth himself to the said Indenture. / And as touchinge the Mannor^r of Dodington, Landes and tenem^{ts} in Dodington, ould Sodbury and Yate—yt was covenanted that the said ffyne shold be to the use of the said Willm Herbert and of his heires for ever. But withall, as this defht remembreth, there is provision for cer-

tain seuerall Annuall somes or payments of money for diuers yeres to be paied out of the said Manno^r of Hendon and some out of the said Manno^r of Dodington, Lands and tenements in Dodington, Ould Sodbury and Yate: ffor the more certent . . . thereof in that point this defht referreth himself to the said Indenture, And further saieth that fines were levied as he thinketh in Trynitie terme in the se . . . [hole] . . . tieth yere of her Ma^{ties} raigne by the said Dame Mary and Willm Herbert to the pties in the Bill mencoed, or part of them; whiche fines were to the uses in the said Lady . . . [hole] . . . tures specified and to non other use and were not to the uses in the first named Indentures, made in the lief of the said Sir Edward Herbert. And if therefor . . . [hole] . . . acon as is mencoed in the Bill of Complaynt, the same was suerlie mystaken and sued out by some wronge direction. And therefore this defht . . . [hole] . . . Complaynant (if he have such conveyance from the said Willm Herbert of the said Manno^r of Dodington, and lands and tenements . . . [hole] . . . Yate, as he mencoeth in this said Bill, should not enioye the same accordinge to his purchase. Neither doth this defht meane . . . [hole] . . . indenture . . . [corner missing] . . . last mencoed in the seconde of June or thereabouts in the seaven and thirtieth yere of her Ma^{ties} raigne . . . [missing] . . . Bill he . . . this defht saieth that hym self beinge a pte thereto and havinge one pte in his hande as an assurance of & for . . . [missing] . . . Elyono^r . . . [missing] . . . and keepeth the same from the complaynant who

hath no interest therein, as this defht saieth as lawfull, this defht thinketh yt is for hym to d . . . [missing] . . . without that . . . [missing] . . . matter or thinge materiall to be answered unto, and in this answere not sufficientlie answered unto, confessed and avoyded, traversed o . . . [missing] . . . knowledge and remembrance of this defht true. / All which matters the said defht is ready to averre and prove as this honorable Court . . . [missing] . . . and praieth to be dismissed the same wth his reasonable Costs and charges herein wrongfully sustayned. /

APPENDIX B

(1) [Sir William Harbert's Bill of Complaint against Owen Vaughan, 1607. Dated, and signed 'Clapham'.]

TO THE RIGHT HONORABLE THOMAS LORD ELLESMERE
LORD CHANCELLOR OF ENGLANDE.

In most humble wise shewe and complaine to yo^r good L^{pp} yo^r Orator^s, Sir William Herbert of Redd Castle in the county of Mountgomye, knighte, Dame Mary Herbert of Redd Castle aforesaid, widowe mother of the said Sir William, And also the said Sir William Harbert for and on behalf of Piercye Harbert, sonne and heyre apparant of him the said Sir

Willm Herbert, being an Infant within the age of one and twenty yeres / that whereas Sir Edward Herbert . . . was in his lief tyme lawfully seysed in his demeasne as of fee amongst other landes and tenements of and in the Barony of Powys in the said com of Mountgom^{ry} with the righte members and apptenaunce thereof, And of dyvers othe landes, tenemtes & hereditamtes, pcell of the said Barony, And of and in diurse waste groundes and comons . . . lyeng and being within the seu^rall mano^rs of Mechen Vchko^yd, mechen Isco^yd [etc.] and in other the townships and place hereafter menconed / And he the said Sir Edward Herbert, so being of all and singular the prmises thereof said, in or about the XXVIIth yere of the late Queenes Raigⁿe for good considera^cons did by good & sufficient conveyance & assurance in the lawe lawfullie executed convey and assure the said Barony with the righte members & apptenaunces thereof, whereof the said waste groundes & comons hereafter menconed were and are pcell to the use of himself & yo^r Oratrix Dame Mary Herbert, his then wife, for terme of theyre naturall lives and after their deceasses to the use of yo^r orator the said Sir Willm Herbert & the heyres males of his body lawfullie begotten, with other remaynders ou^r for defalt of such issue / By force whereof and of the Statute made in the XXVIIth yere of the Raigⁿe of King Henry the eight for the transferring of uses of Landes & tentes into possession, the said Sir Edward Herbert & yo^r oratrix Dame Mary, his wife, were of the same Barony and prmyses lawfullie seised

in theire demeanne as of frehold for terme of theire naturall lives, the reu^rcōn or remainder thereof to yo^r said orator the said Sir Willm Herbert and the heires males of his body lawfullie begotten with other remainder ou^r as aforesaid / And the said Sir Edward Herbert & yo^r oratrix Dame Mary so being thereof seised w^h the remainder or Reu^rcōn to yo^r orato^r Sir Willm as aforesaid And one John Owen Vaughan esquier now deceased, & others by his pcuremt & for him, hauing since wrongfullie incroched & inclosed out of the seu^rall waste groundes aforesaid & out of diu^rse other the waste groundes, soyle & Inheritance of yo^r said orato^rs as pcell of the said Barony, w^{ch} yo^r orato^rs canot pticularly expresse by any speciall name or certenty of acres, lyeing within or belonging to the seu^rall mano^rs of Mechen Vchkoyd [etc.] in the seuall townships of Lloydinerth, Camen Rhylas [etc.], and certaine other landes, tētes and hereditamtes, parcell of the said Barony, likewise by the said John Owen Vaughan wrongfullie withholden then from the said Sir Edward Herbert and now from yo^r orators, called Brynglas and a pcell of ground called the ffryth . . . , and in diu^rse other places within the said Barony and pcell thereof, in the whole amounting to four thousand acres and aboue now converted into Arable Land, medow and pasture, worth to be let p. Ann. a thousand marks and aboue, and buylt & erected there-upon diuse cottages and houses to the number of 200 and aboue, & where the said Sir Edward in his life tyme, Vidlt. in the XXXth yere of the raigne of the

late Queene Elizabeth, having comenced suite against the said John Owen Vaughan, Howell Vaughan and others, their tenants, . . . before the then Counsell in the marches of Wales for redresse hereof concerninge great quantitie of encroched lands, pcell of the said Barony, they the said John Owen Vaughan and others, the then defendts, thereupon pferred a peticon [to] the then Lords of the said late Queenes privie counsell thereby humbly prayinge that the said Sir Edward Herbert shold be comaunded to surcease his said suit & lay before the said counsell in the marches and at the Comon Lawe where suit was likewise depending ready for tryall in Shropshire, touching the tytle then in question for the p^rmisses in regard the Erle of Pembroke, then Lord president of the Mrches, was brother to him the said Sir Edward Herbert / And that for more indifferent triall it wold please their L^{pp}s to cause Sir Edward Herbert to haue the cause tried at the Exchequer Barr at Westminster in the Courte of Comon pleas there and that the jury might be nominated by the Judges then of Shropshire Circuit with thassent of both pties / the w^{ch} Sir Edward yelded unto, the Jury accordinglie was chosen to the liking & by the consent of the pties, and certen lands, pcell of the pmisses then in suit and variance, to the quantitie of 500 acres were agreed upon by consent of the said pties to be then by the same Shropshire Jury tried at the said Exchequer Barr according to the said then deffhts owne peticon, with this further Agrem betwene the said pties & by the full consent of either of

them that, if the said Jury shold passe for the then plaintiff, that then he & his heyres & assignes shold & might foreu^r thereafter enter upon and hold & enioy as well the said 500 acres then in Issue, as also all the residue of the lands, tents and hereditam^{es}, pcell of the Barony, then in any wise in question or variance, w^{ch} were and did consist upon the said tythe, as the other pcelles so to be tried did, without the let or interupcōn of the said John Owen Vaughan or any other psonne clayming from, by, or under him / about w^{ch} tyme, vidt. in Hillary terme in or aboute the XXXth yere of the said late Queenes raigne the said cause by the said Jury, impanelled as aforesaid, was tried at the said Exchecker Barr, whoe upon full hearing of Evidence on both pts yelded their verdict for the said Sir Edward Herbert for all the landes then in suite, w^{ch} was for certen lands called Gwaynenant Ira, contayning aboute 100 acres, and the said ffryth contayning 60 acres, all w^{ch} lands albeit by the order and assent aforesaid it was ment the same shold discyde the whole right in the residue and the same and residue to be quietlie enioyed accordinglie / Yet did the said John Owen Vaughan obstinatlie and willfullie refuse to yelde possession to the said Sir Edward either of the said landes or of any other the lands held by the same tytle, & therby did drive the said Sir Edward to new suite for the same, w^{ch} seu^rall pcells of ground afterwards upon new suit comēced by the said Sir Edward Herbert against the said deffhts before the Counsell of the Mches of Wales (the then Lord President

upon peticon of the said John Owen Vaughan absenting himself from the hearing) was ordered to be enioyed by the said Sir Edward as his right of inheritance and diu^rse other great quantitie of other landes, pcell of the said Barony, then formerly encroched and enclosed by the said John Owen Vaughan & his ten^antes . . . out of the said seu^rall wastes & comons then of the said Sir Edward, were then by the same Counsell ordered to be cast open, w^{ch} was pformed accordinglie / By force whereof and of the said verdict so yelded for him, the said Sir Edward he entred into the said seu^rall pcells of Lands so recou^red & ordered as aforesaid, called by the names of Nant-y-Ira, Brynglas & the ffryth, and was thereof & of other the prmisses, as pcell of the said Barony, lawfullie seised as aforesaid & the same held and enioyed by himself and his underten^antes for diu^rse yeres, and he the said Sir Edward & yo^r oratrix Dame Mary soe beinge seised of the said Barony & other the prmisses as aforesaid, he the said Sir Edward of such estate thereof aboute XII yeres last past died thereof so seised, . . . and the said Dame Mary him surviving, her held in posession thereof and was of the said Barony and other the prmisses lawfullie seised . . . the remainder thereof as aforesaid, And yo^r said Orato^{rs} further shewe that whereas she yo^r oratrix Dame Mary, so seised as aforesaid, aboute six yeres now last past, togeather with the said Sir Willm Herbert since the death of the said Sir Edward, for good consideracons them moving did by good and sufficient conveyance and assurance

in the lawe, lawfullie executed, convey and assure the said Barony with the righte Members and appten^ances thereof to the use of her the said Dame Mary for terme of her lief, the Remainder or Reu^rson thereof to yo^r orato^r, Sir Will^am Herbert, for terme of his lief, the Remainder thereof to yo^r Orator the said Percye Herbert and the heires males of his body lawfullie begotten, with other remainders ou^r for default of such Issue / By force wherof & of the said Statute of uses before mencōned they your said Orators were of the said Barony and prmysses lawfullie seised accordinglie.

But now so it is, if it maie please yo^r good Lpp, that one Owen Vaughan of Lloydyarth in the said county of Mountgomry, esquier, sonne and heyre of him the said Owen Vaughan, after the death of his said ffather having gotten into his handes, custody and posession by casuall meanes or otherwise diu^rse auncient deedes, Charters, Court Rolles, escriptes, writinges and myunm^{tes} concerning the said Barony and other prmisses, w^{ch} were in the handes and posession of the said Sir Edward Herbert at the tyme of the said verdict and triall and do of right apptoigne & belong to yo^r said orator^s or some of them, by color thereof and p^rsumyng upon his strength and power within the said countie & of the favor of the freeholders there, great numbers of whom are at the comāunde of the said Owen Vaughan & other his frendes, by meanes whereof yo^r Orators can haue no Indifferent triall within the said county, being hereby anymated and imboldened did since the death of the said John Owen

his father, vidlt aboute VIII yeares now last past, very unlawfullie enter upon all and singular the pcelles of groundes so enclosed and wrongfully incroched by his said ffather or by his procuremt out of the said seu^rall wastes and comons before menconed, being pcell of the said Barony as aforesaid, amountinge to the number of acres & yerelie value aforesaid, w^{ch} he the said Owen by like wronge and strong hand by the color aforesaid still keepeth and withholdeth from yo^r Orators inclosed / And hath himself and others by his procurement and for him made diu^rse other inclosures and incrochments out of the same yo^r orators said seu^rall wastes and comons, pcell of the said Barony, since the death of the said John Owen Vaughan to the quantitie of 2000 acres and aboue and buylt and erected diu^rse cotages & tenemtes thereupon ou^r and besydes houses and cottages buylt by his said father upon the prmises to the nombre of 500 & aboue to the great priudice, hinderance & impou^rishinge of diu^rse the Auncient ten^antes and Inhabitan^tes, dwelling within the said Manors, townes and places aforesaid where neither he hath nor any his ancestors eu^r had any manor or L^{pp} in the said county of Mountgom^ry savinge a small quantitie of Abbey Lands, w^{ch} were given by some of the Lordes of Powys to the Ances^tors of the said Vaughan and that by charter, by suit of Court service & fealltie. / Yet will not he the said Vaughan appeare at any yo^r Orators courtes in powys or do any suit or service w^{ch} he ought to doe, but intrudeth into Abbies and Lordshippes of yo^r orators &

entytleth himself & others to the realties and pquisites thereof / And also very iniuriously without any regard of the said equall triall & verdict in theschequer for the said Sir Edward Herbert concerning the said pcelles of groundes, called Nant-y-ira, Bryn glas and the ffryth as aforesaid, or respect of the agrem^t and true intent of the then pties to the said suite that the same tryall shold decyde the whole tytle of the prmisses in variance and end all controu^rsies, as it was then intended, and contrary to the said counsells order in that behalf, did also enter upon the said pcelles of ground called the ffryth & Bryn glas, w^{ch} are worth to be let 100^{li} p ann & the rente issues and pfitte thereof amongst other things eu^r since hath wrongfullie and by strong hand taken and the same converted to his owne proper use / And albeit yo^r Oratrix the said Dame Mary Herbert hath heretofore diu^rse tymes let the same to seu^rall ten^antes as lawfullie she might, yet durst no ten^ant of hers contynue thereupon by reason of the threatens and menaces of the said Owen Vaughan that he wold, as formerlie he and his said father had done, kill their cattle and pcure them buryed alive with suchlike hard dealinge that yo^r Oratrix cold not, neyther yet can, enioye the same landes of right appayning unto her, the remainder thereof as aforesaid, & yet not herewith satisfied he the said Owen Vaughan, all this notwithstanding, hath againe com[̄]enced suit in his M^aties court of ples in the eschequer by accon[̄] of eieccone firme in the name of some of his leases against some of the ten^antes of yo^r Oratrix

Dame Mary Herbert for the said Landes called Nant y ira, pcell of the prmises so formerly recou^red in the same court as aforesaid, & hath layed his acc^on to be tried in Shropshire where by reason of his great ali-aunce, kinred and frendes within the said com he expecteth (in his said intended triall) extraordinary favor, well knowing yo^r Orators to be meare strangers in the said county / w^{ch} pceedinges, wrongful incrochm^{tes}, erec^ons & inclosures are to the great priudice of all the ten^antes and inhabitantes dwelling in the said seu^rall mano^rs, townes and places aforesaid & may tend to the disenherison of yo^r Orators & avoyding of their said seu^rall and respective lawfull estate in and to the prmises, unles yo^r lo^{pp} of yo^r wonted care for restraint of such wrong doers in such unlawfull acc^ons do take some speedy order herein / In Considera^on whereof & forasmuch as the posses[?] of the said seu^rall inclosures, erec^ons & wronges done by the said Owen Vaughan & his said father to them yo^r Orators seu^rallie & respectyvely as aforesaid, consisteth in the testimony of diu^rse old & auncient men, who by reason of theire great age and impotency are not likely to liue till an indifferent triall of the said cause be had at the Comon lawe; And forasmuch as the said Owen Vaughan hath gotten into his hand & posession as well the said conveyance, so made by the said Sir Edward Harbert as aforesaid, as the said as-suraunce & conveyance, so made by yo^r Orato^{rs} Dame Mary Herbert & Sir Willm Herbert as aforesaid, & for that also yo^r said Orators nor any of them do

knowe the certen dates, nomber or contentes of the said deedes, chres [charters], evidences, conveyances & writings or any of them, nor wherin the same be containd, & therefore are without all remedy by the strict course of the Comon lawes of this Realme to come by & haue the same, & without the hauing thereof canot mayntaine any accon at the Comon Lawe for the prmisses or any pte thereof, or defend themselves against the acccons so brought by the said Owen Vaughan as aforesaid, & for that also the said Owen Vaughan having brought his accon for pcell of the prmisses formerly recou^ded by the said Sir Edward Herbert & the same now being at issue & the Accon laied in a very unindifferent com where the said Owen Vaughan by reason of his sayd Kyn and aliannce is (as himselfe prtendeth & geueth furth) to preuaile against yo^r Orator^s, unless yo^r L^{pp} of yo^r accustomed goodnes take some order for staie of the said triall in the said com of Salop & to order the same to be heard & determyned before yo^r L^{pp}.

May it therefore please yo^r good lo^{pp}, the prmisses consydered, to graunt to yo^r said Orators the Kinges maties most gracious writt of subpena to be directed to him the said Owen Vaughan, Comaunding him therby at a certaine Daie & under a certen payne therein to be lymyted to be and psonallie to appe[ar] before yo^r L^{pp} in his Maties high Cort of Chauncery at Westminster, then & theare to answeere the prmisses & further to stand to & abyde such order & direccon therein as to yo^r L^{pp} shall seeme to stand with equitie and

conscience / And yo^r said Orato^{rs} shall dailie pray to
god for yo^r good L^{pp} in health wth much encrease of
honor long to contynue.

[signed] Edw. Bromley.

- (2) THE PLEA AND DEMURRER OF OWEN VAUGHAN,
ESQUIER, DEFENDANT TO THE BILL OF COMPLAINT
OF S^r WILLIAM HERBERT, KNIGHT, DAME MARIE
HERBERT, WIDOWE, & PIERCIE HERBERT, COM-
PLTES.

The said defend^{te} Owen Vaughan in pper pson
sayeth that the said compltes to the said Bill of complt
ought not to be aunswered, for the said deft sayeth
that, before the exhibiting of the said Bill of Complt
in this ho: court, one Elias Letilier comenced an acc^{on}
of debt in his ma^{ties} court of comen plees at Westm^r
in the Countie of Midd before his highnes, Justice of
the same court, against the said Complt S^r Willm Her-
bert, by the name of S^r Willm Herbert of Hendon in
the countie of Midd, Knight, In w^{ch} acc^{on}, after due
pceedinges therein in the said court, the said Letilier
had Iudgem^{te} to recou^r his said debt then in question
in the said Court against the said complt S^r Willm
Herbert / Upon wch Iudgem^{te} at the suite & prose-
cucon of the said Letilier the said complt, S^r Willm
Herbert, after his Mat^{ties} most gracious free & gen^rall
pdon, that is to saye one Munday next after the feast
of St Luke the evangelist nowe last paste, by ordinarie
processe of the same court & lawefull pceedinges in
that behaulf was outlawed in London & as yet soe re-

maineth, as by a *capias ut Legatū* under the seale of the said court of comen ples, and hereunto affixed or annexed, may further appe[ar] to this ho: court.

And the said defendant further sayeth that the said complt, dame Mary Herbert, widowe, after his ma^{ties} saide last gen^rall gracious & free pdon, by the name of dame Marie Herbert, widowe, of the parishe of Poole in the countie of Mountgom^ry in the diocesse of St Asaphe, was amongst others excomūnicated and as yet is, standeth o^r remayneth excomūnicate, and bringeth here into this ho: Court the L^res testimoni-alles & certificate of the reu^rent father in Christ, Richard, Buishoppe of St Asaphen, under his authenticke and episcopall seale, w^{che} doe testifie the same in these wordes following:

[This decree, which is in Latin, contains the names of Dame Mary Herbert and three of her younger children—John, Katherine, and Mary. It appears to have been issued on 30th June, 1606.]

And therefore the said deft demandeth Judgement of this ho: court whether the said Compltes, S^r Willm Herbert & dame Marie Herbert, or either of them to the said Bill of complt shall or ought to be aunswered. / And for asmuch as the said other complt, Piercie Herbert, hath ioyned in the said Bill of complt with the said other two disabled Compltes, w^{ch} remayning soe disabled are not by lawe to be aunswered; And for that hit doth appe[ar] by the said Bill of Complt that the said Piercie Herbert is an enfant within the age of

XXI yeares, w^{ch} cannot psecute by the lawes of this Realme anie Suite but by his pchein amie; And that the said S^r Willm Herbert, his father, whoe for & one the behaulf of the said Complt, Piercie Herbert, as his pchein amye doth psecute the said suite, is disabled by reason of the outlawe afforsaid; And for as much as alsoe yt appeth by compltes owne showing in and by the said Bill of Complt that the said deft did sithence the death of John Owen Vaughan, father to the said deft in the said Bill of complt mncōned, viz about eight yeares nowe last past, unlawfull enter upon all & singler the pcelles of groundes in the said Bill of complt mncōned, alledged to be inclosed & wrongefully incroched by the said John Owen Vaughan, or by his pcurem^t, out of the wastes and comōns of the said Barony of Powis, such eu^r sithence & as yet the said defendant still keepeth and withouldeth from the said compltes, being the landes in question, in wch case (if it be true) the defendant by the compltes owne shewing is a diffur [disputer?] thereof & soe hath continewed . . . eu^r sithence his said entrie thereunto, and then coulde not the same anie way passe his pcell of the said Barronie in Rem^{dr} to the said complt, Piercy Herbert, by the said conveyance soe made of the said Baronie about six yeares last past, videliz. about two yeares after the said supposed entrie & diffem [?] soe made by the said deft in respect that the said Compltes, S^r Willm and Dame Marie, hadd but a bare right thereunto at the tyme of the said conveyance made; and for that the p^rtended estate &

interest of the said Complt, Pyercie Herbert, is not in possession but, by the compltes owne shewing in the said Bill, an estatate in Rem^{dr}, depending upon the seu^rall estates for the lives of the said other two compltes; and for that the saide complt, Piercie Herbert, is but a meere stranger & not anie ptie to the said supposed agreem^t or order in the said Bill of Complt menconed, as by the said Bill of Complt appeth; and for that allsoe the plaintiffe in the said accon of eiectione firme is not made ptie to this suite in & by the said bill of complt / Therefore the said defend^t doth by the leave & favour of this ho: court demurre in lawe & demaund the Judgem^t of this ho: court whether he shal be compelled to make aunswere to the said complt, Piercie, for or touching anie thing or matter in the said Bill conteyned, & prayeth to be dismissed together with his reasonable costes in that behaulf susteyned. /

(3) [The third document (a narrow strip of vellum) is written in Latin. It is apparently an official form (warrant?), in which Sir William Harbert's name has been inserted.]

APPENDIX C

My chief reason for not offering a full or partial consideration of 'Cadwallader' in the present work is that it belongs to the post-Sonnet period and reflects (as it should) the post-Sonnet outlook of its author. Again, its parallels, references and allusions cannot satisfactorily be separated. A review of the purely *Shakespearean* inspiration behind this semi-historical poem would rightly lend itself to criticism, but such criticism is unnecessary here, for it would have no bearing at all on the question of Harbert's identification with Mr. W. H. The friendship of the Sonnets had long since ended.

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